

In The Matter Of:
CITY OF CAMDEN
ZONING BOARD OF ADJUSTMENT

TRANSCRIPT OF MEETING
February 3, 2025

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ZONING BOARD OF ADJUSTMENT
CITY OF CAMDEN

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Monday, February 3, 2025

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Transcript of proceedings of the Zoning
Board of Adjustment taken in City Council Chambers,
2nd floor City Hall, 520 Market Street, Camden, New
Jersey 08101, commencing at 5:40 p.m.

B O A R D M E M B E R S P R E S E N T

DARNELL HANCE, CHAIRMAN
GUY STILL, VICE-CHAIRMAN
YSABEL NUNEZ
ALICIA RIVERA
TAMEEKA MASON

A-P-P-E-A-R-A-N-C-E-S

KYLE F. EINGORN, ESQUIRE, ATTORNEY FOR THE BOARD
DEMBO, BROWN & BURNS, LLP
EVITA MUHAMMAD, ZONING BOARD SECRETARY

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1 CHAIRMAN HANCE: Good evening. Welcome
2 to the City of Camden Zoning Board of Adjustment
3 regular scheduled meeting on February 3, 2025.

4 Reading of the Sunshine Law: In
5 conformance with the Sunshine Law of New Jersey,
6 notice of the meeting was posted in the Municipal
7 Clerk's office on Wednesday, January 29, 2025. Roll
8 call.

9 MR. EINGORN: Chairman Hance.

10 CHAIRMAN HANCE: Here.

11 MR. EINGORN: Vice-Chairman Still.

12 VICE-CHAIRMAN STILL: Here.

13 MR. EINGORN: Ms. Merricks is absent.

14 Ms. Alston is absent. Ms. Nunez.

15 MS. NUNEZ: Here.

16 MR. EINGORN: Ms. Rivera.

17 MS. RIVERA: Here.

18 MR. EINGORN: Ms. Mason.

19 MS. MASON: Here.

20 MR. EINGORN: We'll start with the
21 approval of the minutes for January 15. Do we have a
22 motion?

23 CHAIRMAN HANCE: Motion.

24 VICE-CHAIRMAN STILL: Second.

25 MR. EINGORN: I'll take a roll-call vote.

1 Chairman Hance.

2 CHAIRMAN HANCE: Yes.

3 MR. EINGORN: Vice-Chairman Still.

4 VICE-CHAIRMAN STILL: Yes.

5 MR. EINGORN: Ms. Nunez.

6 MS. NUNEZ: Yes.

7 MR. EINGORN: Ms. Rivera.

8 MS. RIVERA: Yes.

9 MR. EINGORN: Ms. Mason.

10 MS. MASON: Yes.

11 MR. EINGORN: So moved.

12 As everybody can see, we only have five
13 members tonight. So if you require a use variance,
14 you'll need a unanimous vote of the Board in order to
15 obtain that use variance, meaning, five affirmative
16 votes. We apologize that this is what we have.
17 There's been some emergent circumstances. So just be
18 advised that we do only have five members.

19 If you're here tonight for 1402 Broadway,
20 that matter had deficient notice and will not be
21 heard tonight. So if you're here for 1402 Broadway,
22 you're free to leave; you're free to stay. But that
23 will not be heard tonight.

24 The first matter of Old Business is
25 Macedonia Baptist Church, 812-814 Kaighn Avenue.

1 That applicant has requested an adjournment to March.
2 The Board has considered it and we'll entertain that
3 adjournment request without further notice. This
4 will be notice of that adjournment to March for
5 Macedonia Baptist Church, 812-814 Kaighn Avenue.

6 The first matter of New Business, EMR
7 Eastern, LLC, 1605 Thorn Street. I believe counsel
8 is here tonight. We'll mark them present.

9 Christian Castillo, 2802-2832 Buren
10 Avenue.

11 MR. CASTILLO: Here.

12 MR. EINGORN: Good evening. Elvis Nunez,
13 687 Jefferson Street.

14 MR. NUNEZ: Here.

15 MR. EINGORN: Good evening. Leodan
16 Barancavilla, 421 Landsdowne Avenue.

17 MR. BARANCAVILLA: Here.

18 MR. EINGORN: Real Portfolio 16, LLC, 436
19 Liberty Street.

20 MR. WILSON: Here.

21 MR. EINGORN: Good evening, Counsel.

22 Chana Kanelsky, 108 E. State Street. I
23 believe Mr. Wilson is here tonight.

24 MR. WILSON: Here.

25 MR. EINGORN: Yehuda Kanelsky, 3314

1 Rosedale Avenue.

2 MR. WILSON: Here.

3 MR. EINGORN: Yachiel Winfield, 110 S.
4 33rd. Street and 3009 Mt. Ephraim Avenue.

5 MR. WILSON: Yes.

6 MR. EINGORN: We will mark those that are
7 present on the calendar accordingly.

8 The first matter is EMR Eastern, LLC,
9 1605 Thorn Street. Is that application ready to
10 proceed?

11 MR. GILLESPIE: Good evening members of
12 the Board, John Gillespie from Parker McKay on behalf
13 of EMR Eastern, LLC. As Mr. Eingorn indicated, we're
14 here for a property at 1605 Thorn Street. My client
15 currently operates a 'My Auto Store' warehouse on the
16 property. But they want to get a used car dealership
17 just to put a couple of cars out there and they need,
18 as part of the state licensure, they need to
19 establish a place of business with a desk, chair,
20 landline and safe, an office of least 8 feet by 9
21 feet square feet, display space for a minimum of two
22 motor vehicles and a sign. So that use would not be
23 a permitted use in the zone within which EMR
24 operates.

25 But as you'll hear from the testimony,

1 there would be no activities that you would notice
2 from the outside with regard to the operation we seek
3 for your permission. We have space inside the
4 building that's eight-by-nine that satisfies, that
5 has a desk, has a landline. We have existing parking
6 outside that we dedicate for the vehicles that the
7 state's dealership license requires. Those spaces
8 exist. We don't need to do any additional spaces.
9 We wouldn't need to identify them separately for that
10 purpose. So we wouldn't need any site plan changes
11 to what's out there.

12 It would simply be converting a minimum
13 amount of space inside the building using existing
14 parking spaces for this dedicated purpose. But the
15 public or anyone driving by would not notice that.
16 We would install a sign. It would be the second sign
17 because there's already one out there. But we would
18 install a sign that will be 12 square feet; no higher
19 than six feet to the top of the sign as permitted by
20 the Zoning Ordinance. And, again, no site
21 improvements would be required and, therefore, we're
22 not seeking a site plan approval for this.

23 I only have two witnesses, Mr. Chairman,
24 the Board. I have Kate Puccio from EMR is deputy
25 general counsel and vice-president. Angelo Alberto

1 is a professional planner and a licensed architect.
2 Mr. Eingorn, do you want to have them sworn together
3 or separately?

4 MR. EINGORN: I think it's quicker to
5 swear them together.

6 MR. GILLESPIE: Sure.

7 MR. EINGORN: Would you raise your right
8 hand, please.

9 - - -

10 ANGELO ALBERTO, P.P, R.A.; KATHERINE
11 PUCCIO, ESQUIRE, having first been duly
12 sworn/affirmed, was examined and testified as
13 follows:

14 - - -

15 MR. EINGORN: Please state your name and
16 address for the record.

17 MS. PUCCIO: Katherine Puccio. Do you
18 want my business address or my home?

19 MR. EINGORN: Business address is fine.

20 MS. PUCCIO: 201 N. Front Street, Camden,
21 New Jersey 08102.

22 MR. ALBERTO: Angelo Alberto, CIP
23 Management, 121 Market Street, Camden, New Jersey.

24 MR. GILLESPIE: Ms. Puccio, would you
25 tell the Board, what is your relationship to EMR?

1 MS. PUCCIO: Sure. My name is Kate
2 Puccio. It's nice to meet all of you. I am deputy
3 general counsel and vice-president of People for EMR
4 USA. As some of you might know, EMR Eastern is a
5 subsidiary of the larger EMR USA Metal Recycling
6 Group that operates in the United States and also
7 abroad.

8 MR. GILLESPIE: And did EMR acquire some
9 time ago, an existing business in the City of Camden?

10 MS. PUCCIO: Yes. So EMR came to the
11 United States through acquisition so you might be
12 familiar with Camden Iron & Metal which is a business
13 that has operated in Camden for over 100 years. EMR
14 acquired Camden Iron.

15 MR. GILLESPIE: And would you just
16 describe to the Board the property?

17 MS. PUCCIO: Sure. The property
18 currently is a commercial warehouse that is used for
19 storage of parts for 'My Auto Store.' It consists of
20 two warehouses. One is 22,900 square feet. One is
21 51,620 square feet. There are 39 parking spaces
22 between the two buildings including 18 parking spaces
23 in front of the smaller building. It's located on
24 Thorn Street. The only access is from Thorn Street.
25 There's railroad tracks.

1 MR. GILLISPIE: Would you tell the Board
2 where? It's in the red area?

3 MS. PUCCIO: Yes.

4 MR. GILLISPIE: Where's the access?

5 MS. PUCCIO: It's right here. That's the
6 only access.

7 MR. GILLISPIE: And that's the only
8 access to the site?

9 MS. PUCCIO: Yes.

10 MR. GILLISPIE: There's no access out the
11 rear?

12 MS. PUCCIO: No access. This red is
13 covering it up. There's that treeline buffer. Only
14 access from the front. There's the railroad tracks,
15 again, adjacent to another warehouse and a school
16 that's under construction. The Ivy Hill Apartments
17 are at the northwest.

18 MR. GILLISPIE: So I gave an overview.
19 But what is it that you want to do that requires you
20 to come before the Board and seek their permission
21 this evening?

22 MS. PUCCIO: Sure. So 'My Auto Store' is
23 a subsidiary. My Auto Store, as you might know, it
24 sells used auto parts. So you could go online to
25 MyAutoStore.com, put in whatever your car is and you

1 get -- they'll sell you parts. A main source of cars
2 for those parts are vehicle auctions. And in order
3 to buy cars from auctions, you need a Used Motor
4 Vehicle Dealer License. We previously have had one
5 in Egg Harbor Township that we have used to buy
6 vehicles in the past, but it makes more sense given
7 that the business is located here in Camden for the
8 permit to be here.

9 MR. GILLESPIE: And by you're buying
10 them, that's just one or two cars less to go to the
11 junk yard; is that right?

12 MS. PUCCIO: Yes. So the way that the
13 'My Auto Store' works is, we buy cars that have been
14 deemed totaled. As you probably know, a car can get
15 deemed totaled and it can still look perfect on the
16 outside or it can have front-end damage but the rear
17 is completely fine. So what we do is, we buy these
18 vehicles and then down by the waterfront, we have a
19 dismantling facility where it's a disassembly line as
20 opposed to an assembly line.

21 We take off all of the parts that are
22 still saleable and then we clean them up, photograph
23 them, put them online for sale on MyAutoStore.com.
24 Then the remaining bulk is sold to EMR Eastern and
25 then it's sustainably recycled so that it can be

1 bought by a mill and used to produce recycled steel.
2 So no car graveyards; nothing like that. It truly
3 100 percent of it is saved from a junk yard.

4 MR. GILLISPIE: And was I correct in
5 representing to the Board that absent a zoning
6 approval, you can't get that used auto dealership
7 license?

8 MS. PUCCIO: Correct.

9 MR. GILLISPIE: The two warehouses, are
10 we adding any square feet to that?

11 MS. PUCCIO: No. Nothing would change at
12 the warehouses and none of the dismantling would take
13 place at the warehouse. It would solely be a place
14 where someone could come and buy the cars that we
15 have on display or they could come by and ask
16 questions or something like that. But there would be
17 no dismantling or anything that takes place at the
18 site.

19 MR. GILLISPIE: We don't need any
20 additional parking spaces to accommodate this?

21 MS. PUCCIO: Correct.

22 MR. GILLISPIE: We're going to identify
23 existing parking spaces for that purpose.

24 MS. PUCCIO: So there's parking all along
25 here. The 18 spots that I referenced in front would

1 be here.

2 MR. GILLISPIE: For the record, they're
3 on Thorn Street?

4 MS. PUCCIO: Yes, they're on Thorn
5 Street. And this would include the two display
6 spaces that we're required to have, the employee
7 parking and the customer parking. And just based on
8 the use as it is now, that there would be plenty of
9 additional parking.

10 MR. GILLISPIE: So there would be changes
11 whatsoever to the site?

12 MS. PUCCIO: Correct.

13 MR. GILLISPIE: And this is not going to
14 be a heavy-duty sales location; people aren't going
15 to be coming on and out all day long to look at --

16 MS. PUCCIO: No. We're not anticipating
17 not -- like I said, this is because in order to buy
18 cars from the auction, this specific license is
19 required. So really to the neighborhood, they're not
20 going to notice anything different from what is there
21 now.

22 MR. GILLISPIE: And the second sign I
23 mentioned to the Board, was I correct in representing
24 that it would comply with the ordinance --

25 MS. PUCCIO: Correct.

1 MR. GILLISPIE: -- that would be on the
2 wall if the Board approves it?

3 MS. PUCCIO: Yes. May I have the board?

4 MR. GILLISPIE: I think there is an
5 example there.

6 MS. PUCCIO: This is our proposed sign
7 Very simple. The star logo.

8 MR. GILLISPIE: So no additional traffic
9 being generated if the Board grants this approval?

10 MS. PUCCIO: No.

11 MR. GILLISPIE: No impact to the
12 community if the Board grants us approval?

13 MS. PUCCIO: No.

14 MR. GILLISPIE: Mr. Chairman, I don't
15 have any other questions of Kate.

16 MS. PUCCIO: Any questions?

17 MR. EINGORN: How many employees are
18 there?

19 MS. PUCCIO: How many employees would
20 work out of there now at that site.

21 MR. EINGORN: Yes.

22 MS. PUCCIO: Very few work out of there
23 now because a lot of the warehousing has been
24 transitioned to a new warehouse in Deptford. We have
25 less than 10 people who work out of there regularly.

1 MR. EINGORN: Will it be a new employee
2 for the car sales?

3 MS. PUCCIO: There will be a designated
4 employee.

5 MR. GILLISPIE: An existing employee or a
6 new employee?

7 MS. PUCCIO: It would be an existing
8 employee:

9 CHAIRMAN HANCE: Is it going to be open
10 every day, Monday through Sunday or Monday through
11 Friday?

12 MS. PUCCIO: That's a good question that
13 no one asked me before.

14 CHAIRMAN HANCE: And also the time that
15 it opens and closes? Also, this is strictly going to
16 be self-dealership so cars only? Are you going to be
17 selling any parts? Is it going to be an auction or
18 is it just going to be selling the cars?

19 MS. PUCCIO: So we need the license
20 in order to buy parts for sale. But because you have
21 a license, the requirements of the license saying
22 that we have to have at least two cars on site
23 available for purchase. So those two cars will be
24 available if you wanted to come in and purchase them.

25 MR. GILLISPIE: But to the Chairman's

1 question, more than two?

2 MS. PUCCIO: Yes. No more than two.

3 MR. GILLISPIE: Let me ask you a
4 question. The hours, Mr. Chairman, if I can. Will
5 the hours be any different than they currently are
6 whenever those hours and days are?

7 MS. PUCCIO: No.

8 MR. GILLISPIE: Is it the same as it
9 now?

10 MS. PUCCIO: Correct.

11 CHAIRMAN HANCE: Which are?

12 MS. PUCCIO: So typically, we don't
13 operate on Sundays. It's a little bit in flux
14 because we transitioned a lot of the warehousing to
15 Deptford. So I would say if there's a concern about
16 the hours, we can work with you.

17 MR. CHAIRMAN: So it would be nine to
18 five?

19 MS. PUCCIO: That's what I'm anticipating
20 regular business hours. This isn't -- nobody is
21 going to buy a car at 3:00 a.m.

22 MR. CHAIRMAN: I'm going backwards now.
23 This is not going to be an auction?

24 MR. GILLISPIE: That's correct.

25 MR. CHAIRMAN: This is just going to be

1 sale of cars?

2 MS. PUCCIO: Correct. No auction. This
3 is required for us to purchase vehicles from --
4 frankly all the auctions are online. We will not be
5 auctioning them.

6 MR. GILLISPIE: Did you ever hear of
7 NADA?

8 CHAIRMAN HANCE: Yes.

9 MR. GILLISPIE: In order for them to get
10 vehicles from NADA, correct me if I'm wrong, you need
11 this license, correct?

12 MS. PUCCIO: Correct.

13 MR. GILLISPIE: In order to get this
14 license, you need this zoning approvals to do that
15 for these couple of cars?

16 MS. PUCCIO: Correct.

17 MR. CHAIRMAN: So I'm going to help you
18 out. I do understand the auction and the selling of
19 cars. I bought many cars from auctions myself.

20 MS. PUCCIO: Okay, yeah.

21 CHAIRMAN HANCE: So I know the system.
22 This is why I'm asking, this is not going to be an
23 auction? Because the auction is totally different
24 from selling cars?

25 MS. PUCCIO: Correct.

1 MR. GILLISPIE: You're just buyers?

2 MS. PUCCIO: Correct.

3 CHAIRMAN HANCE: You're buying and then
4 you're going to be selling?

5 MS. PUCCIO: Yes.

6 MS. MASON: That was going to be my
7 question.

8 MR. GILLISPIE: And just that limited
9 inventory of a couple of cars.

10 MS. MASON: You mentioned disassemble; cars
11 being disassembled for parts to be able to sell online?

12 MS. PUCCIO: Yes.

13 MS. MASON: But that has nothing to do
14 with this site?

15 MS. PUCCIO: Correct.

16 MS. MASON: This site is just going to
17 have some used cars for folks to be able to purchase
18 quality-used cars?

19 MS. PUCCIO: Correct.

20 CHAIRMAN HANCE: The inventory is going
21 to be two cars. You're not going to have no more
22 than two in there?

23 MS. PUCCIO: That is because --

24 CHAIRMAN HANCE: You have to have two.
25 Cars on the lot?

1 MS. PUCCIO: Yes. But because that's not
2 our business model is not to be a used car whole car
3 dealer. It's a used parts dealer. We would only
4 plan to have the two.

5 CHAIRMAN HANCE: I checked you out
6 online.

7 MS. PUCCIO: Yes.

8 CHAIRMAN HANCE: So you're right. You
9 call in and put in the year of the car; what part
10 you're looking for and you guys either have it or you
11 don't have it?

12 MS. PUCCIO: Yes. And we will get it for
13 you if we don't have it.

14 MR. EINGORN: Any other questions for
15 this witness? Thank you.

16 MR. GILLESPIE: Thank you.

17 MS. PUCCIO: Thank you.

18 MR. GILLESPIE: Mr. Alberto, you're being
19 promoted here as an expert in the field of
20 professional planning. Would you tell the Board your
21 educational experience and your background in the
22 field?

23 MS. PUCCIO: I'll be testifying tonight
24 as a professional planner but I'm also a licensed
25 architect and professional planner in the State of

1 New Jersey. And I did my undergraduate work at
2 Cornell University and I got my planning degree at
3 Harvard University.

4 MR. GILLISPIE: Are you --

5 MR. EINGORN: Mr. Alberto has been
6 accepted here before. We'll accept him tonight as a
7 professional planner.

8 MR. GILLISPIE: Oh great. Thank you very
9 much. I appreciate that.

10 MR. EINGORN: No worries.

11 MR. GILLISPIE: So I don't get involve in
12 the socratic method so would you please walk the
13 Board through the variance application.

14 MR. ALBERTO: Sure. The first witness
15 did a great job. And my job as part of the Municipal
16 Land Use Law is to get professional planning
17 testimony on Board. So I think it's pretty straight
18 forward. But if you would indulge me, I'm going to
19 walk through the different components of it. And the
20 site location as has been stated is 1605 Thorn Street
21 in Camden. It's currently zoned TOD which stands for
22 Transit Oriented District. And that would come into
23 play a little more later.

24 As you know, to the east of us are the
25 railroad tracks. Just for orientation, this is

1 Lourdes across the tracks. Thorn Street and the
2 railroad tracks run parallel. South of us is another
3 commercial warehouse and this beautiful new Camden
4 Prep High School here. West is a nice residential
5 neighborhood and residential Ivy Hill Apartments to
6 the north of us. The existing use, as has been
7 stated, is a commercial warehouse. The proposed use
8 is a continuous commercial warehouse and as has been
9 stated, this limited auto dealership.

10 To allow this use, we have to request a
11 d(1) variance under the New Jersey Municipal Land Use
12 Code. And to be granted that variance, we require to
13 satisfy the two components or sometimes the two
14 prongs of the Land Use Law. The first is the
15 Positive Criteria does what we're requesting here,
16 does this relief satisfy the Positive Criteria which
17 is, that the proposed use satisfies the purposes of
18 the Municipal Land Use Law and the property is
19 particularly suited for this use.

20 And then the Negative Criteria, a little
21 counterintuitive, the Negative means that the
22 variance can be granted without substantial detriment
23 to the public good and without substantial impairment
24 since substantially impairing the intent and purpose
25 of zoning. So I'll walk through the components of

1 these two prongs. To illustrate that the property
2 use satisfies the purposes of the MLUL and to justify
3 the d(1) variance, we must show special reasons to
4 support and grant the variance. And, again, these
5 Positive Criteria -- pardon me for reading but I just
6 want to go through this and get it on the record.

7 The site is particularly suited for this
8 use because it is an existing commercial warehouse
9 facility. The current use is not typical of a
10 Transit Oriented District. It is a warehouse for
11 auto parts used by the applicant for its auto-related
12 business. No site improvements are required for this
13 use. A TOD use relies on transportation routes such
14 as bus, train, car and pedestrian. TOD uses
15 permitted in the zone are residential, bus terminals,
16 convenience stores, banks, offices, personal service,
17 retailer and restaurants.

18 This property is not appropriate for the
19 those uses because it is an isolated location and it
20 faces the railroad tracks. Thorn Street is only a
21 two-block street with no bus or train access. And
22 there no are TOD uses on the street. So for these
23 reasons, adding a low-use, used car dealer that
24 supports the existing warehouse on the site, makes
25 this site particularly suitable for what we are

1 requesting. So that's, in essence, the Positive
2 Criteria.

3 For the Negative Criteria, we must show
4 that the d(1) variance can be granted without
5 substantial detriment to the public good, and without
6 substantially impairing the intent and purpose of the
7 zoning plan for this zone. In this case, the public
8 good refers to our surrounding neighbors. There is
9 no substantial Negative impact to the neighborhood.
10 The site is already functioning as a warehouse with
11 little change proposed. It's a low-impact
12 dealership. No significant signage or lighting will
13 be added or needed. By the way, this sign is less
14 than 12 square feet, essentially 3-by-4 and it will
15 be mounted on the wall.

16 MR. GILLISPIE: When you reference no
17 significant signage or lighting, you mean in
18 comparison to if it was a real used car dealership,
19 right?

20 MR. ALBERTO: Right. No large pylons or
21 anything like that. The sign is going to be facing
22 the railroad tracks. Because when they refer to
23 front door on this project, it's really kind of like
24 a back facing the railroad tracks. It's screened
25 from the residents by the existing building. This is

1 actually a pretty nice wooded area here which also
2 screens us from the nice residences behind us.

3 And the neighbors, for the most part,
4 will not, I don't think at all, will notice a
5 difference with this use on the site. So we see no
6 negative impacts or negative impacts on the public
7 good. In summary for all of these reasons, it is my
8 professional planning opinion, that the application
9 meets the Positive Criteria because this site is
10 particularly suited for this use and proposed
11 variance.

12 And regarding the Negative Criteria,
13 there will be no substantial detriment to the public
14 good or any substantial Negative Impact to the Zone
15 Plan or health and welfare of the public.

16 MR. GILLISPIE: Sir, I made a
17 representation to the Board that you really won't be
18 able to tell the difference between this activity and
19 what's already going on there. Do you have an
20 opinion on that?

21 MR. ALBERTO: Yes. Compared to a lot of
22 zoning applications that we work on, you're creating
23 a small office. Everything is being done here
24 because of the state law. So two cars out front,
25 that's not really what they're in the business of

1 selling.

2 MR. GILLISPIE: And those parking spaces
3 are already there, right?

4 MR. ALBERTO: Parking spaces are already
5 there. And a small office will be kind of like
6 cordoned off inside to meet the criteria of the
7 state. And other than that, it's going to function
8 exactly the way it does now.

9 MR. GILLISPIE: Do you see any reason why
10 a site plan would be required for this use variance?

11 MR. ALBERTO: No site plan required.
12 Yes, there was no site plan required because there's
13 no changes. Although there is a engineering plan
14 that is drawn up for the site. I apologize. It's a
15 little hard to read.

16 So this is the larger warehouse here.
17 This is the smaller one. This is a good thing, the
18 parking, because we don't like to see a lot of
19 parking. It's all hidden between the two buildings.
20 Here are the spaces out front. Railroad tracks here.
21 And the state law requires at least two cars for sale
22 and an employee parking space. So EMR will designate
23 those three spaces for those uses.

24 MR. GILLISPIE: Kyle, do you want me to
25 mark them A-1, 2, and 3?

1 MR. EINGORN: I think that's appropriate.
2 We'll mark the aerial A-1. A-2 will be the sign
3 because that was what came in second. And then A-3
4 will be the engineering plan. Would you like to
5 enter those into evidence?

6 MR. ALBERTO: Yes.

7 MR. GILLISPIE: If we could move them in
8 evidence I'd appreciate it.

9 MR. EINGORN: So moved in.

10 Any questions for Mr. Alberto? No.
11 Summation?

12 MR. GILLISPIE: Mr. Chairman, just for
13 all the reasons that have been presented to the Board
14 this evening by both Ms. Puccio and Mr. Alberto, the
15 Positive and Negative Criteria for the use variance
16 have been satisfied. But more practically, there
17 really is no activity that's going to be noticed
18 here. It's just using the existing site for another
19 purpose. But a purpose that needs to be done in
20 order to facilitate the ability to use those vehicles
21 and do what EMR does in another location. It's not
22 going to become an auto dealership in the traditional
23 sense. And if you want us to limit to the few cars
24 that we're talking about, we're happy to make that a
25 condition to the approval.

1 MR. EINGORN: Any final questions?

2 CHAIRMAN HANCE: I have a couple more
3 questions. Do you know how many cars you're going to
4 have on the site for sale at one time?

5 MS. PUCCIO: It should just be the two.

6 CHAIRMAN HANCE: Just the two?

7 MS. PUCCIO: Yes.

8 MR. GILLISPIE: It's really a formality
9 because of the licensure requirements from the
10 state.

11 CHAIRMAN HANCE: Right.

12 MS. MASON: So basically they need the
13 license in order to purchase cars to do what they do
14 and as far as EMR with the recycling and disassembling.
15 But they have to have two cars or they have --

16 CHAIRMAN HANCE: I do understand that.
17 But when you said that you're going to have a car
18 dealership of selling cars from that area --

19 MR. EINGORN: If that's the concern,
20 counsel has just offered a condition approval that we
21 limit the sale to two cars. So you could do that as
22 a condition approval when you make your motion if you
23 deem that appropriate.

24 CHAIRMAN HANCE: Not a concern. I was
25 just curious.

1 MS. PUCCIO: Yeah. Our business model is
2 not to be a dealership. And I don't anticipate that
3 that is going to change. The sign is not there but
4 it's parts. To be clear, most of these vehicles
5 have a salvage title anyway so you couldn't actually
6 sell them.

7 CHAIRMAN HANCE: But you could sell them
8 with an established title if you repair them?

9 MS. PUCCIO: Yes. But that's not our
10 business model.

11 CHAIRMAN HANCE: I know a lot about the
12 business.

13 MR. EINGORN: Let's open to the public.
14 Anybody here tonight that like to be heard on the
15 application of EMR Eastern related to the property
16 located at 1605 Thorn Street? Going once; going
17 twice; sold. Nobody in the public. We'll close the
18 public portion.

19 The Board has heard significant testimony
20 tonight regarding the request for use variance and
21 site plan waiver for this limited motor vehicle sale.
22 And you've heard testimony of the applicant's planner
23 and their representative. So the Board should do a
24 discussion of the Positive and Negative Criteria and
25 propose a motion.

1 VICE-CHAIRMAN STILL: I think it's
2 positive in that it's business expansion. I mean, we
3 all want to be versatile. I know that's not your
4 plan or your business plan or business model, but
5 more opportunities for people from the outside maybe
6 to buy some vehicles, quality vehicles even if it's
7 just two. I don't really see much negative in doing
8 what you already do.

9 MS. MASON: EMR is here and they're very
10 involved in the community as well. And so, again, I
11 think this is to your point, another way of expanding
12 just their services and just --

13 VICE-CHAIRMAN STILL: Visibility.

14 MS. MASON: Yeah, visibility.

15 VICE-CHAIRMAN STILL: If nobody else has
16 anything, a motion to pass.

17 MS. MASON: Second.

18 MR. EINGORN: We have a motion to grant
19 the application for use variance site plan approval.
20 I'll take a roll-call vote on that motion. Chairman
21 Hance.

22 CHAIRMAN HANCE: Yes.

23 MR. EINGORN: Vice-Chairman Still.

24 VICE-CHAIRMAN STILL: Yes.

25 MR. EINGORN: Ms. Nunez.

1 MS. NUNEZ: Yes.

2 MR. EINGORN: Ms. Rivera.

3 MS. RIVERA: Yes.

4 MR. EINGORN: And Ms. Mason.

5 MS. MASON: Yes.

6 MR. EINGORN: Having five in favor and
7 none opposed, the motion carries. Have a nice night.

8 MR. GILLISPIE: Thank you. We appreciate
9 it.

10 MS. PUCCIO: Thank you.

11 MR. EINGORN: The next matter is
12 Christian Castillo, 2802 to 2832 Buren Avenue.

13 MR. EINGORN: Would you raise your right
14 hand, please.

15 - - -

16 CHRISTIAN CASTILLO, having first been
17 duly sworn/affirmed, was examined and testified as
18 follows:

19 - - -

20 MR. EINGORN: Please state your name and
21 address for the record.

22 MR. CASTILLO: Christian Castillo.
23 Address is 2550 43rd Street, Pennsauken, New Jersey.

24 MR. EINGORN: Thank you, Mr. Castillo.
25 You're here tonight for a use variance and site plan

1 waiver. You want to use the property at 2802-2832
2 for auto repair and parts store?

3 MR. CASTILLO: Yes.

4 MR. EINGORN: Did you take this
5 photograph, sir?

6 MR. CASTILLO: Yes.

7 MR. EINGORN: And this is how the
8 property looks today?

9 MR. CASTILLO: It is.

10 MR. EINGORN: And this photograph as
11 well?

12 MR. CASTILLO: Yes, that is correct.

13 MR. EINGORN: These photographs are also
14 taken by you?

15 MR. CASTILLO: Yes.

16 MR. EINGORN: And these as well?

17 MR. CASTILLO: Yes.

18 MR. EINGORN: And these show the inside
19 of the property?

20 MR. CASTILLO: Yes.

21 MR. EINGORN: Do you plan to have like an
22 actual store to sell auto parts or is this more for
23 to fix cars and you'll sell the parts as part of
24 fixing them?

25 MR. CASTILLO: Yes. Part of fixing them.

1 MR. EINGORN: So you're not opening a Pep
2 Boys?

3 MR. CASTILLO: No. It's going to be part
4 of the fixing up of the vehicles.

5 MR. EINGORN: How many cars do you think
6 you can put in the garage?

7 MR. CASTILLO: To be honest, I'm not 100
8 percent sure but I'll estimate cause part of the
9 garage is spacious. There is a lot of space. I
10 would say maybe like about 15, 20 cars.

11 MR. EINGORN: So 15 to 20 on the
12 inside?

13 MR. CASTILLO: Yes.

14 MR. EINGORN: It looks like there's a
15 yard.

16 MR. CASTILLO: Yes, there's one yard on
17 the side.

18 MR. EINGORN: Small side. How many cars
19 do you think you can store in the yard?

20 MR. CASTILLO: Two cars.

21 MR. EINGORN: About two cars?

22 MR. CASTILLO: Yes.

23 MR. EINGORN: Are there parking spaces
24 outside for customers?

25 MR. CASTILLO: Yes. It's like an empty

1 street. There's not much traffic on that street.

2 MR. EINGORN: So it's street parking?

3 MR. CASTILLO: Yes.

4 MR. EINGORN: Are you going to have
5 employees?

6 MR. CASTILLO: For now it's going to be
7 myself as a mechanic until I grow the business. It
8 all depends how it goes.

9 MR. EINGORN: Okay. Anything else we
10 should know about at the property?

11 MR. CASTILLO: As far as I know,
12 everything is on the pictures.

13 MR. EINGORN: What are your neighbors
14 like, houses, other businesses?

15 MR. CASTILLO: There is -- it looks like
16 three businesses. Pretty much there haven't been no
17 movement. It's pretty much like three businesses
18 across the street. And then it's houses down the
19 street as well, like four or five houses. Not many
20 houses. But across the street is like empty. Maybe
21 there was -- I know for sure that across the street,
22 the business is part of this -- is pretty much the
23 same owner. But he's not renting that part. He said
24 the same thing, he needs to apply for the permits for
25 that property so he's not using that property.

1 MR. EINGORN: Are you leasing this
2 building?

3 MR. CASTILLO: Yes leasing.

4 MR. EINGORN: Does anybody have any
5 questions?

6 CHAIRMAN HANCE: When did you purchase
7 the property; how long?

8 MR. CASTILLO: I haven't purchased the
9 property. I'm just leasing. I'm not the owner. I'm
10 just the tenant. I wish I could purchase that
11 property.

12 VICE-CHAIRMAN STILL: How do you plan to
13 control any cars that might feel like that this lot
14 across the street is a parking lot? Oh, I'm sorry to
15 interrupt. So the problem we usually have is, even
16 though there's street parking, people tend to pull on
17 to the sidewalk to park in these quote unquote empty
18 lots, but that's not what they are. They're not
19 parking lots.

20 MR. CASTILLO: Yeah, I'm aware of that.
21 That's why -- so as you can see, inside of the
22 garage is another space to put in the car lifts. Of
23 course, to handle this, I'm willing to use like a
24 forklift to move these cars which most of the car I
25 won't be able to drive. So from experience we can

1 use a forklift. The door is big enough for me to
2 drive it in with a forklift and just start moving
3 cars even if they won't start. The forklift will do
4 the easy job.

5 MR. EINGORN: You said your landlord owns
6 this lot that we're looking at across the street,
7 correct?

8 MR. CASTILLO: Yes.

9 MR. EINGORN: So if there were an issue
10 with parking here, you could work it out with
11 him?

12 MR. CASTILLO: Yeah, he knows me. I know
13 him well. I mean, he's willing -- that's what he'd
14 be waiting for me to get these permits. I've known
15 him for many years. He has a business in Philly so
16 that's where I know him from.

17 MR. EINGORN: Okay. And you're not going
18 to store parts or anything outside, right, no tires
19 or anything like that?

20 MR. CASTILLO: No cars leaking oil; no
21 cars dismantled, none of that. Everything is going
22 to be inside. That's why I'm interested in
23 properties with space. I'm suppose to do work
24 inside. There's needs to be nothing outside.

25 MS. RIVERA: So you have something to put

1 the oil in?

2 MR. CASTILLO: Eventually, no, because
3 I'm not in the property yet so cause I'd be waiting
4 for this to make it happen for the permit. But I do
5 have the plans and I have the deed how to handle all
6 the oil, the anti-freeze and even the companies that
7 I'm working with. So pretty much I'm just waiting to
8 get the okay and I'll be able to get my plan to be
9 installing in this building.

10 MR. EINGORN: Did the landlord tell you
11 what this property was used for before you rented
12 it?

13 MR. CASTILLO: Yeah. From my knowledge,
14 this property used to be a boat shop; like a repair
15 shop just for boats.

16 MR. EINGORN: So this is a similar use
17 then?

18 MR. CASTILLO: Yes. That's why -- this
19 has many things for it and lift for the heavy stuff.

20 MR. EINGORN: Any questions for
21 Mr. Castillo? Hearing none, we'll open to the
22 public. Anybody here tonight in the public that
23 would like to be heard on the application of
24 Christian Castillo regarding 2802 to 2832 Buren
25 Avenue? Seeing none, we will close the public

1 portion.

2 The applicant is here tonight seeking
3 a use variance approval and a site plan waiver
4 regarding his request to use the property as an auto
5 repair shop. The applicant testified he's not going
6 to be selling parts, but that the parts would be used
7 as part of his repair of the vehicles on-site. I
8 suggest that that be a part of the motion if one is
9 so made. Now the Board should do a discussion of the
10 Positive and Negative Criteria and propose a motion
11 whether to grant or deny this application.

12 CHAIRMAN HANCE: I think it's a positive.
13 I've been past there. It's a lonely area. Very big
14 warehouse. I think it's positive to put something in
15 there. I say this every time but we've been having a
16 lot of fires in Camden. We just had two more fires
17 in Camden. It's all vacant properties.

18 So to hopefully bring that area back to
19 life, I think it will be a good idea to have
20 something in motion there at least you see people
21 going in and out of the building than having it just
22 sitting there. It definitely is a sore eye; very,
23 very sore eye. I think it's a great idea to have
24 something like that in Camden.

25 MR. EINGORN: I don't see any signage

1 proposed so before you put anything up on the
2 building saying, hey, welcome to my auto garage, make
3 sure you check with the --

4 MR. CASTILLO: Yes, I'm aware of that
5 too. I want to be sure of everything like
6 step-by-step, trying to get this property turned into
7 a repair shop. And then from there, we're going to
8 apply for the sign in the wall.

9 MR. EINGORN: Great.

10 CHAIRMAN HANCE: Also, a young man trying
11 to make his way. And this is what we need in
12 Camden. We need the young to step up and do what you
13 have to do to make Camden come back to life to work
14 again.

15 MR. EINGORN: Any other discussion or a
16 motion?

17 MS. NUNEZ: Motion to accept.

18 MR. EINGORN: So we have a motion to
19 accept for auto repair and site plan waiver?

20 MS. NUNEZ: Yes.

21 MR. EINGORN: Do we have a second?

22 MS. MASON: Second.

23 MR. EINGORN: I'll take a roll-call vote.
24 Chairman Hance.

25 CHAIRMAN HANCE: Yes.

1 MR. EINGORN: Vice-Chairman Still.

2 VICE-CHAIRMAN STILL: Yes.

3 MR. EINGORN: Ms. Nunez.

4 MS. NUNEZ: Yes.

5 MR. EINGORN: Ms. Rivera.

6 MS. RIVERA: Yes.

7 MR. EINGORN: Ms. Mason.

8 MS. MASON: Yes.

9 MR. EINGORN: Five in favor and none
10 opposed, the motion carries. Congratulations and
11 have a nice night.

12 MR. CASTILLO: Thank you very much. I
13 appreciate for the chance.

14 MR. EINGORN: The next one is Elvis
15 Nunez, 687 Jefferson Street.

16 Is everybody going to testify?

17 MS. PERALTA: No. I'm going to
18 translate.

19 MR. EINGORN: Okay. So let's start
20 there. Would you raise your right hand, please.

21 Do you swear/affirm that the translation
22 you'll provide tonight will be true to the best of
23 your ability?

24 MS. PERALTA: Yes.

25 MR. EINGORN: Please state your name and

1 addresses for the record.

2 MS. PERALTA: Sara Peralta, 6167 Cedar
3 Avenue, Pennsauken, New Jersey 08109.

4 MR. EINGORN: Now we'll swear the
5 witnesses. Would you raise your right hand, please.

6 - - -

7 EL DONALDO VID AL, R.A.; ELVIS NUNEZ,
8 having first been duly sworn/affirmed, was examined
9 and testified as follows:

10 - - -

11 MR. EINGORN: Please state your name and
12 address for the record.

13 MR. NUNEZ: Elvis Nunez, 915 Mechanic
14 Street, Camden, New Jersey 08104.

15 MR. EINGORN: Mr. Vid Al, you're here as
16 an architect tonight?

17 MR. VID AL: Yes, I am.

18 MR. EINGORN: Mr. Vid Al is a regular
19 practitioner before this Board. We'll accept you as
20 a professional architect.

21 So the applicant is here tonight seeking
22 to convert -- is it a preexisting duplex or is it
23 being converted into this property?

24 MR. VID AL: Being converted into a
25 duplex.

1 MR. EINGORN: So the applicant is seeking
2 to convert a single-family property into a duplex.
3 Do you want to tell us a little bit about the
4 property?

5 MR. NUNEZ: I want to convert it into a
6 duplex, a single-family home, to be able to have two
7 families living in the same property.

8 MR. EINGORN: So it looks like a rowhome;
9 is that correct?

10 MR. NUNEZ: Yes.

11 MR. EINGORN: On one side it shares a
12 party wall?

13 MR. NUNEZ: Yes.

14 MR. EINGORN: And on the other side, it's
15 a vacant lot?

16 MR. NUNEZ: Yes.

17 MR. EINGORN: Is there a preexisting
18 driveway?

19 MR. NUNEZ: Yes.

20 MR. EINGORN: And a preexisting garage?

21 MR. NUNEZ: Yes.

22 MR. EINGORN: Mr. Vid Al, did you prepare
23 these plans?

24 MR. VID AL: Yes, I did.

25 MR. EINGORN: Great.

1 MR. VID AL: What I found was a building
2 with three bedrooms. So the original house has three
3 bedrooms, two floors and one basement for utilities.
4 It has a driveway and an existing garage. The owner
5 decides to convert the building into different
6 apartments. The first floor is going to have one
7 bedroom and the second floor is going to have three
8 bedrooms. So basically, it's the same amount of
9 bedrooms. It's only that it has been divided into
10 two different apartments.

11 The parking complies. We need three and
12 we have four. We have four parking spaces. And what
13 else? Well, it looks like the reason it was denied
14 was because the front yard setback is deficient. We
15 need -- yes, it's deficient on that, on that part.

16 It needs ten and then we have zero
17 because the whole building, including the neighbor,
18 is sitting on zero lot line. And one side yard
19 setback. This one is zero and it's because it has a
20 common lot obviously. But the other side is fine.
21 So basically those are the two deficiencies on this
22 project. Everything else checked. That's basically
23 it.

24 MR. EINGORN: These conditions, are they
25 preexisting?

1 MR. VID AL: Yes, they are. So basically
2 we are not changing the footprint. Basically, it's
3 an interior renovation and a fire separation between
4 the two floors. Each one has its own entrance. So
5 'A' and 'B' has their own different entrances from
6 the front. Everything else remains the same.

7 MR. RIVERA: Do you have like two water
8 heaters? One of each for each apartment?

9 MR. VID AL: Yes. The utilities are
10 basement utilities. It will have a separation of the
11 services.

12 MS. RIVERA: And you're going to have two
13 for the light, the --

14 MR. VID AL: Yes, two electrical meters

15 MS. RIVERA: -- meters.

16 MR. VID AL: That is correct.

17 MR. STILL: Wish I had a couple more
18 pictures. Is there any structural changes that need
19 to be made to the garage? I can't really see the
20 garage. I mean, I can see the architectural plan
21 that there is one. But I can't really see that far
22 back.

23 MR. VID AL: Basically, the garage is
24 existing. All it needs is the door. The overhead
25 door, it needs to be changed but everything else is

1 just there. Yes, it doesn't have right now the
2 overhead door but they're going to add one of those
3 as far as the renovation. It's masonry garage
4 actually like the building.

5 CHAIRMAN HANCE: So there's a tenant
6 still next door or the owner still lives next door to
7 this? It's connected here. Is there another house
8 next door; am I correct?

9 MR. VID AL: Yes, there's another. It's
10 a separate ownership on the left.

11 CHAIRMAN HANCE: Is somebody living
12 there?

13 MR. NUNEZ: Yes, someone is living there.

14 MR. VID AL: Yes. It's occupied.

15 CHAIRMAN HANCE: He said the duplex is
16 for his family to move in or is he going to rent it
17 out?

18 MR. NUNEZ: I want to live in the bottom
19 one and rent the upstairs.

20 MR. VID AL: Oh, himself, yes. He'll
21 take the one-bedroom apartment and then he's going to
22 rent, lease the second floor Apartment 'B.'

23 CHAIRMAN HANCE: So the garage is going
24 to be a garage, correct? It's going to stay a
25 garage?

1 MR. NUNEZ: Yes.

2 CHAIRMAN HANCE: I guess you have one car
3 that parks in the driveway there or? Because the
4 garage looks like it's pretty far back. That's why
5 I'm asking you. I don't see a curb cut here at all.
6 See how that car is here?

7 MR. EINGORN: It's hard to tell because
8 it has grown over, the driveway in the photo.

9 MR. VID AL: It has been neglected a bit
10 but there's a curb cut.

11 MR. EINGORN: But it does look like it's
12 there.

13 CHAIRMAN HANCE: Okay, I see that.

14 MR. VID AL: The driveway, it's all the
15 way back to the property. So the previous owner used
16 it for parking.

17 CHAIRMAN HANCE: How many cars do you
18 think can fit in the driveway?

19 MR. VID AL: Three.

20 CHAIRMAN HANCE: And you have street
21 parking also?

22 MR. VID AL: Yes. So it's a three on the
23 driveway and one in the garage.

24 CHAIRMAN HANCE: Across the street,
25 are there houses across the street? This is why we

1 need pictures. The more pictures you bring then we
2 don't have to piece it together.

3 MR. NUNEZ: There's no houses across the
4 street.

5 MR. EINGORN: We're doing a lot of
6 talking and the court reporter can only take one of
7 us at a time.

8 CHAIRMAN HANCE: What's across the street
9 here?

10 MR. VID AL: That's a park. What is that
11 park? I don't remember the name of the park. But
12 there's a park. I don't remember the name of the
13 park. All I remember is a bunch of kids all the
14 time.

15 CHAIRMAN HANCE: I remember the area now.

16 MS. PERALTA: You said there's a park and
17 then next to the park there's a lot to the left and
18 another lot to the right side.

19 CHAIRMAN HANCE: Right.

20 MR. EINGORN: Any other questions?
21 Having no more questions, we'll open the public
22 portion. Is anybody here tonight that would like to
23 be heard on the application of Elvis Nunez for 687
24 Jefferson Street? Yes ma'am, please come up.

25 MR. EINGORN: Would you raise your right

1 hand, please.

2 - - -

3 LAURA BENNETT, having first been duly
4 sworn/affirmed, was examined and testified as
5 follows:

6 - - -

7 MR. EINGORN: Please state your name and
8 address for the record.

9 MS. BENNETT: My name is Laura Bennett.
10 My address is 1929 S. 7th Street.

11 MR. EINGORN: Ms. Bennett, what would you
12 like to tell the Board?

13 MS. BENNETT: I couldn't understand
14 everything that they were saying but I just want to
15 be enlightened of what they're saying as opposed to
16 making a duplex out of 687.

17 MR. EINGORN: Sure. This is the
18 applicant's plan that they provided. I'm showing Ms.
19 Bennett the architectural plan provided by
20 Mr. Vid Al. The applicant is proposing to turn
21 this rowhome into two units. One bedroom on the
22 first floor and three bedrooms on the second floor?

23 MR. VID AL: Two bedrooms.

24 MR. EINGORN: Two bedrooms on the second
25 floor. I can't help with you that.

1 MS. BENNETT: So the top floor is already
2 a three bedrooms. This is a one-dwelling house.

3 MR. EINGORN: Yes, that was the
4 testimony. The testimony is that it's three bedrooms
5 currently upstairs. And they want to put one on the
6 first floor and then two on the second floor with
7 separate entrances. And then as you can see on the
8 driveway, there would be parking for four cars.
9 Obviously, they'd stack but there would be four-car
10 parking.

11 MS. BENNETT: It's a huge yard. She did
12 drive her car up in there. Ms. Jones, we've been
13 neighbors for many years. And in the front is a
14 city-owned property which is a wide area that a lot
15 of times people come and park. We have the Stanley
16 Park from where they purchased the property at.
17 There is a garage there where she stored her things
18 at. But the neighbor that couldn't make it, he's
19 handicapped. They're saying about as far as the
20 noise concern like coming out of the back from the
21 front entrance to the back, what's going to go on
22 with that? Because his house runs this way behind
23 their yard.

24 So it comes in his alley and their yard
25 starts here. Then we have a city property here. We

1 have houses -- I think I heard him say there's no
2 houses across the street. They are across the street
3 and we live on the side. It's a very quiet
4 neighborhood. It's very nice and they obtained a
5 good property. That's what the concern was as far as
6 who is going to generate the area. You see what I'm
7 saying?

8 MR. EINGORN: The applicant is proposing
9 to live on the first floor. And we can barely hear
10 him speak so I'm assuming he's going to be pretty
11 quiet. And then he's going to rent it to somebody on
12 the second floor. I'm not trying to be mean to him
13 but he's very a soft-spoken individual.

14 MS. BENNETT: Yeah. Right.

15 MR. EINGORN: I can't speak for him but
16 it sounds like --

17 MS. BENNETT: It's not that we're trying
18 to deny him access of what he wants to do cause he
19 can only improve the neighborhood. But we also want
20 the neighborhood to remain what we have --

21 MR. EINGORN: Sure.

22 MS. BENNETT: -- the same way. So a lot
23 of people coming into the neighborhood they say
24 they're going to do this. And the next thing you
25 know, they got their hat on and they don't pay you no

1 mind. So we could be friends as far as getting what
2 we're getting. Never had a problem. I've seen him
3 there.

4 But the concern of the neighbors that's
5 there now that are handicap, the back comes out. The
6 yard is not that big. The shed stays here where Ms.
7 Laura put her lawn mower in. And then she would hop
8 the curb because she couldn't get around like she
9 used to. And then access to that, they have a huge
10 yard. But in the front, it's City property. So then
11 you have people come and want to park there and do
12 whatever they want. Then if we're on the street
13 they're going to take that too court side.

14 So they really have a good scenery
15 because the park is there and the kids play football,
16 basketball and all that. And that's my concern. Not
17 to take anything away from them but
18 just to know that we're being protected too.

19 MR. EINGORN: Yes. Sure.

20 MS. BENNETT: Because you bought it as a
21 single home. And once you purchase them you have the
22 right but you still have to stand within the zone of
23 what we're doing. That's what I'm saying. And it's
24 maybe always a 'yes' but we have quiet neighborhood.
25 Thank you.

1 MR. EINGORN: Anything else?

2 MS. BENNETT: That's it.

3 MR. EINGORN: Thank you for coming. Looks
4 like we have one more. Would you raise your right
5 hand, please.

6 - - -

7 JESSICA PETTHYNG, having first been duly
8 sworn/affirmed, was examined and testified as
9 follows:

10 - - -

11 MR. EINGORN: Please state your name and
12 address for the record.

13 MS. PETTHYNG: My name is Jessica
14 Petthyng. Address is 3152 Fairmount Avenue, Camden,
15 New Jersey. I just wanted to say that the park's
16 name is Stanley Park.

17 MR. EINGORN: Okay. Thank you. Anybody
18 else in the public that would like to be heard on
19 this application? Hearing none, we'll close the
20 public portion.

21 The applicant is appearing tonight to
22 convert a single-family home into a duplex. They
23 need two bulk variances, c(1) bulk variances for
24 minimum front yard setback and one side yard setback,
25 both of which are preexisting nonconforming

1 conditions of the land. It doesn't sound like
2 they're changing the footprint so they're not
3 changing the setbacks that are existing.

4 The Board should do a discussion of the
5 Positive and Negative Criteria and make a motion.

6 VICE-CHAIRMAN STILL: It think it's a
7 good thing. He's trying to do well for himself but
8 this is also a case of him in not just being
9 infrastructure but having a relationship in knowing
10 your neighbors. So I can't tell him to build a
11 relationship with his neighbors but, obviously, it's
12 not all about infrastructure and building from top to
13 bottom. There is a respect that goes with buying
14 where you buy. And respecting each other and him
15 respecting them and them respecting him.

16 MR. EINGORN: Any other discussion? A
17 motion.

18 CHAIRMAN HANCE: Yes. I think it's a
19 good idea and I will piggyback on the Vice-Chairman.
20 Hopefully you'll talk to the neighbors about what you
21 are going to do there or the neighbors. Because
22 that's so important when you move into a neighborhood
23 to know your neighbors. They're actually your eyes,
24 your ears and visc-a-versa. You are theirs.

25 I can understand what you neighbor is

1 talking about because we have a lot of new people in
2 our neighborhood. And they didn't come to talk to
3 the neighbors. But we have all those situations.
4 But other than that, I think it's good they want to
5 build-up the neighborhood. And like she said,
6 beautify it but also respect the neighborhood. I
7 think it's a great idea. I think it's just.

8 MR. EINGORN: And a motion?

9 CHAIRMAN HANCE: I make a motion that we
10 pass.

11 VICE-CHAIRMAN STILL: Second.

12 MR. EINGORN: I'll take a roll-call vote.
13 Chairman Hance.

14 CHAIRMAN HANCE: Yes.

15 MR. EINGORN: Vice-Chairman Still.

16 VICE-CHAIRMAN STILL: Yes.

17 MR. EINGORN: Ms. Nunez.

18 MS. NUNEZ: Yes.

19 MR. EINGORN: Ms. Rivera.

20 MS. RIVERA: Yes.

21 MR. EINGORN: Ms. Mason.

22 MS. MASON: Yes.

23 MR. EINGORN: Five in favor and none
24 opposed, the motion passes. Thanks guys.

25 The next matter is Leodan Barrancavilla,

1 421 Landsdowne Avenue.

2 MS. ABED: Kyle, I'm serving in two
3 capacities today. One as a translator and one as a
4 construction liaison.

5 MR. EINGORN: Would you raise your right
6 hand, please. Do you swear/affirm that the
7 translation you'll provide tonight will be true and
8 accurate to the best of your ability?

9 MS. ABED: I affirm.

10 MR. EINGORN: Do you swear/affirm that
11 the testimony that you'll provide tonight will be
12 true to the best of your knowledge?

13 MS. ABED: I affirm.

14 MR. EINGORN: We'll swear in the
15 applicant.

16 - - -

17 LEODAN BARRANCAVILLA, having first been
18 duly sworn/affirmed, was examined and testified as
19 follows:

20 - - -

21 MR. EINGORN: Please state your name and
22 address for the record.

23 MR. BARRANCAVILLA: Leodan Barrancavilla,
24 6 Marlton Avenue, Camden, New Jersey 08105.

25 MS. ABED: I'm going to hand out the

1 colored pictures.

2 MR. EINGORN: We'll mark these as Exhibit
3 A-1.

4 MS. ABED: Yes.

5 So just to speak a little bit of my role
6 in this. I'm a construction liaison. I help
7 facilitate and do the construction on a lot of these
8 remodels for different contractors and subcontractors
9 throughout the City. So I'll facilitate the permit
10 process from start to finish. Mr. Barrancavilla
11 brought this property to my attention in October of
12 2024, and we started the process after he did
13 closing. He purchased it as a single-family
14 residence completely rented out. And we went to go
15 start to the process to get the COO. And we got
16 denied for the D-68 Relief for the Non-Conforming
17 Use.

18 It is an existing single-family dwelling.
19 It's going to remain a single-family dwelling. The
20 pictures you see are pictures that were taken today
21 of the front of the building. The side of the
22 building with an existing meter on there, the parking
23 that's existing at 421 Landsdowne. The piece is a
24 desolate area and not a whole lot going on down
25 there. When you walk in, the first thing you'll see

1 is the entrance to the upstairs going to the main
2 bedroom. That's what you have with those pictures.

3 MS. RIVERA: Is the lot his?

4 MR. BARRANCAVILLA: It belongs to the
5 City of Camden.

6 MR. EINGORN: Does anyone have questions
7 about the preexisting house?

8 CHAIRMAN HANCE: So the house was empty
9 as we speak or does someone live there?

10 MS. ABED: The existing tenants from when
11 he purchased it. He purchased the property with
12 tenants.

13 MR. EINGORN: Anybody in the public
14 tonight that would like to be heard on the
15 application regarding 421 Landsdowne Avenue? Hearing
16 none and seeing no one, we'll close the public
17 portion. Does the Board have any questions?

18 CHAIRMAN HANCE: I have a question. You
19 have a fence in front of the house.

20 MR. BARRANCAVILLA: It's a four-foot
21 fence just in front of the property.

22 CHAIRMAN HANCE: So you want to bring it
23 back to being a house again?

24 MS. ABED: I'm sorry?

25 CHAIRMAN HOUSE: Are you going to bring

1 it back to a single home?

2 MR. BARRANCAVILLA: It was a originally a
3 single home. That fence is there.

4 CHAIRMAN HANCE: Right. I know that.
5 I'm just thinking because no one is talking.

6 MS. RIVERA: Now, was that a closed --
7 open porch and he closed it or he bought it as a
8 closed porch?

9 MR. BARRANCAVILLA: It was originally
10 closed. When I purchased it, it was closed already.
11 I did minor repairs and when I purchased it and
12 changing the door handles, painting. I did the black
13 doors interior and the white trim and things like
14 that.

15 VICE-CHAIRMAN STILL: What is your
16 relationship with your neighbors?

17 MR. BARRANCAVILLA: Good.

18 MR. EINGORN: Are there any issues with
19 the preexisting house thing? Hearing none, a
20 discussion and a motion.

21 MS. MASON: If there's no discussion.
22 I'll make the motion to pass it.

23 MR. EINGORN: Do we have a second?

24 VICE-CHAIRMAN STILL: Second.

25 MR. EINGORN: I'll take a roll-call vote.

1 Chairman Hance.

2 CHAIRMAN HANCE: Yes.

3 MR. EINGORN: Vice-Chairman Still.

4 VICE-CHAIRMAN STILL: Yes.

5 MR. EINGORN: Ms. Nunez.

6 MS. NUNEZ: Yes.

7 MR. EINGORN: Ms. Rivera.

8 MS. RIVERA: Yes.

9 MR. EINGORN: Ms. Mason.

10 MS. MASON: Yes.

11 MR. EINGORN: Five in favor and none
12 opposed. Congratulations.

13 The next matter is Real Portfolio 16,
14 LLC, 436 Liberty Street.

15 MR. PLATT: Good evening. My name is
16 Stuart Platt. I represent Real Portfolio 16, LLC.
17 We are here regarding 436 Liberty Street, Block 335,
18 Lot 8 and we're seeking a Section 68, a Certificate
19 of Non-Conformity. I have with me tonight Rosalina
20 Palcido who is the property manager. She should be
21 sworn.

22 MR. EINGORN: Would you raise your right
23 hand, please.

24 - - -

25 ROSALINA PALCIDO, having first been duly

1 sworn/affirmed, was examined and testified as
2 follows:

3 - - -

4 MR. EINGORN: Please state your name and
5 address for the record.

6 MS. PALCIDO: My name is Rosalina
7 Palcido, 216 North Haddon Avenue, Suite 503, Haddon,
8 New Jersey 08105.

9 MR. PLATT: I'm handing out four
10 exhibits. Exhibit A-1 would be the Property Record
11 Card. Exhibit A-2 is one photo. Exhibit A-3 is a
12 second photo and Exhibit A-4 is a third photo.

13 Ms. Palcido, you are the property manager
14 for Real Portfolio 16?

15 MS. PALCIDO: Yes.

16 MR. PLATT: Are you familiar with the
17 property at 436 Liberty?

18 MS. PALCIDO: Yes.

19 MR. PLATT: And tell me what is there
20 right now?

21 MS. PALCIDO: It's a single-family, three
22 bedroom, one-bath house.

23 MR. PLATT: And is it semi-attached?

24 MS. PALCIDO: Semi-detached, yes.

25 MR. PLATT: Semi-detached. Excuse me.

1 And you received a copy of the Property Record
2 Card?

3 MS. PALCIDO: Yes.

4 MR. PLATT: According to the Property
5 Record Card, this house was built some time in
6 1900?

7 MS. PALCIDO: Yes.

8 MR. PLATT: And to your knowledge, has
9 the property always been used as a semi-detached
10 single-family home?

11 MS. PALCIDO: Yes.

12 MR. PLATT: I've also provided you with
13 three photographs. Can you just go over what they
14 depict? When were they taken?

15 MS. PALCIDO: A couple of weeks ago.

16 MR. PLATT: And each one, we'll go over
17 Exhibit A-2, A-3 and A-4 in order.

18 MS. PALCIDO: So the first, you'll see in
19 the front, it's the door, the windows. There's like
20 a side door which is an alleyway where the attached
21 is. So it looks like it's attached but it's
22 detached.

23 MR. PLATT: And the second photo?

24 MS. PALCIDO: It's the front. The living
25 room windows, upstairs windows. The main door is the

1 one with the white one with the address on it.

2 MR. PLATT: And the last one?

3 MS. PALCIDO: Same picture. Different
4 angles. Just the front of the house.

5 MR. PLATT: And it's your request that
6 this house be continued as a single-family home?

7 MS. PALCIDO: Yes.

8 MR. PLATT: Thank you. Nothing further.

9 MR. EINGORN: Any questions about the
10 preexisting single-family home that's been presented
11 to the Board?

12 MR. EINGORN: No? Open to the public.
13 Anybody here tonight that would like to be heard on
14 the application of Real Portfolio 16, LLC, 436
15 Liberty Street for a Cert of Non-Conforming Use for a
16 preexisting single-family home? Seeing none and
17 hearing none, we'll close the public portion.

18 The Board has been has been presented
19 with an application for a Certificate of
20 Non-Conforming Use. It certainly appears to be a
21 preexisting home which remains in such fashion. I'll
22 ask the Board to do a discussion and a make a motion.

23 CHAIRMAN HANCE: It's basically like our
24 last case that we just had. As you can see, we are
25 reading that it's a single home.

1 VICE-CHAIRMAN STILL: I think it's always
2 a pleasure to see beautification. The only question
3 I have is, is there going to be any improvements to
4 the facade; like the face of it as we see in the
5 pictures?

6 MS. PALCIDO: No. That's how the house
7 is.

8 MR. PLATT: Were any interior
9 improvements made?

10 MS. PALCIDO: Just paint because the
11 tenant turnover. Paint and carpet. No renovations.

12 MR. EINGORN: In the photograph it
13 appears to be that there are two doors?

14 MS. PALCIDO: Yes. That's what I said.
15 It's detached but when we purchased it, someone
16 basically like boarded up the front to make it look
17 nice but actually an alleyway with the electrical
18 service outside. And only our tenants have access or
19 us to it.

20 MR. EINGORN: Got it. Sorry if you
21 answered that already.

22 CHAIRMAN HANCE: On that alleyway, is
23 that alleyway for both sides?

24 MS. PALCIDO: No. Just ours. There's
25 nothing. Like the other tenant, there's nothing to

1 their side. It just leads to their backyard.

2 VICE-CHAIRMAN STILL: So that alleyway
3 leads to their back yard?

4 MS. PALCIDO: To ours.

5 VICE-CHAIRMAN STILL: To yours?

6 MS. PALCIDO: Yeah.

7 MR. EINGORN: Do we have a motion?

8 MS. MASON: I'll make the motion.

9 MR. EINGORN: Do we have a second?

10 MS. RIVERA: Second.

11 MR. EINGORN: I'll take a roll-call vote.

12 Chairman Hance.

13 CHAIRMAN HANCE: Yes.

14 MR. EINGORN: Vice-Chairman Still.

15 VICE-CHAIRMAN STILL: Yes.

16 MS. ALSTON: Yes.

17 MR. EINGORN: Ms. Nunez.

18 MS. NUNEZ: Yes.

19 MR. EINGORN: Ms. Rivera.

20 MS. RIVERA: Yes.

21 MR. EINGORN: Ms. Mason.

22 MS. MASON: Yes.

23 MR. EINGORN: Five in favor and none
24 opposed. Thank you guys.

25 MR. PLATT: Thank you.

1 MS. PALCIDO: Have a good night.

2 MR. EINGORN: Have a good night.

3 The next matter is Chana Kanelsky, 108 E.
4 State Street. Good evening, Counsel.

5 MR. WILSON: Good evening. John Wilson
6 on behalf of the applicant. I'll swear in the
7 witnesses.

8 MR. EINGORN: Would you raise your right
9 hand, please.

10 - - -

11 MARIA MARTINEZ; YEHUDA KANELSKY, having
12 first been duly sworn/affirmed, was examined and
13 testified as follows:

14 - - -

15 MR. EINGORN: Please state your name and
16 address for the record.

17 MS. MARTINEZ: Maria Martinez, 579
18 Chestnut Street, Orange, New Jersey 07205.

19 MR. KANELSKY: Yehuda Kanelsky, 814
20 Jerome Avenue, Hillside, New Jersey.

21 MR. WILSON: I call Mr. Kanelsky. We are
22 talking about 108 E. State Street. Tell the Board
23 what your relationship is with the property?

24 MR. KANELSKY: It is legally owned by my
25 wife, Chana Kanelsky but managed by myself and Maria

1 Martinez. We purchased this property --

2 MR. EINGORN: Let the record reflect that
3 Mr. Wilson has handed out a property card.

4 MR. KANELSKY: We purchased the property,
5 I believe, in June of 2022.

6 MS. MARTINEZ: Yes.

7 MR. KANELSKY: When we purchased it, it
8 was occupied as a two-family with two families living
9 in the residence. And that's how it is still is
10 today?

11 MR. WILSON: Have you made any changes to
12 the property?

13 MR. KANELSKY: Aside from the interior,
14 upgrading the property in reference to --

15 MR. WILSON: You have not expanded the
16 building --

17 MR. KANELSKY: No.

18 MR. WILSON: -- or the footprint of the
19 property?

20 MR. KANELSKY: No.

21 MR. WILSON: Is there any possibility of
22 expanding the footprint of the property?

23 MR. KANELSKY: It is not my intention.

24 MR. WILSON: I didn't ask that. Is there
25 any possibility of expanding the footprint of the

1 property? Is there room to the right or to the left?

2 MR. KANELSKY: No.

3 MR. WILSON: Is there room to expand to
4 the front or the rear?

5 MR. KANELSKY: No.

6 MR. WILSON: So the footprint cannot be
7 changed?

8 MR. KANELSKY: Correct.

9 MR. WILSON: You wish to just maintain
10 the present use of the property?

11 MR. KANELSKY: Yes. I call your
12 attention to the Property Record Card. The Property
13 Record Card shows that on the first floor there's one
14 living room, kitchen, bath and bedroom, and the same
15 on the second floor, showing that the property has
16 been used significantly as a duplex. I believe my
17 client, before I was retained, provided pictures of
18 the property and --

19 MS. MARTINEZ: I took the pictures.

20 MR. WILSON: I call Maria Martinez to
21 discuss the pictures. Before she starts, is there
22 any questions to Mr. Kanelsky?

23 CHAIRMAN HANCE: No.

24 MR. WILSON: The Board has the same
25 packets.

1 CHAIRMAN HANCE: Yes.

2 MR. WILSON: Tell the Board, you're
3 talking about the first page and identify each
4 picture as you talk about but its position in the
5 sequence.

6 MS. MARTINEZ: Starting with Apartment
7 'A,' the first picture that you have is a picture of
8 the living room. When you walk into the apartment,
9 that's the first room that you actually walk into.
10 And then you make a left which shows the hallway that
11 you turn into. And off of that hallway, you're going
12 to see there's a refrigerator which indicates that
13 that's the next two pictures, Picture 3 and 4, which
14 are pictures of the kitchen. And as you follow
15 through to the kitchen, you have a bedroom on Picture
16 5 with a closet and also a back entrance. And
17 towards that back entrance is where you have the
18 actual bathroom. That is also listed.

19 MR. YEHUDA: That's just a duplicate
20 photo.

21 MS. MARTINEZ: The last two pictures that
22 you see is actual new flooring that we replaced from
23 the old picture. On page 3 which is 108 E. State
24 Street, Apt. B, you have the stairs that go up to
25 Apt. B-4. As you walk in, there's a room right --

1 if you walk straight which is Picture No. 2, it could
2 be either utilized as a bedroom or other room. It's
3 really up to the tenant. And then as you turn
4 around, you have the bathroom to the left-hand side.

5 So if you look at Picture No. 4, that's
6 facing the door towards the living room area. And
7 you'll see that there's an opening where the kitchen
8 is actually located. So you have -- it's kind of
9 hard to see. But when you walk out of this room, it
10 actually becomes a little hallway and then there's
11 the bathroom. So right near the corner of this
12 picture here, is the actual bathroom entrance that
13 you really can't see. But that's where the
14 bathroom's at.

15 And then this entrance, that's a big
16 entrance area is where the kitchen is. And that's
17 the two pictures that you see here. As you walk
18 straight in this hallway is this front room which is
19 a larger room which also has closets. So it's really
20 up to the tenant which room they would like to
21 utilize as a living room or as a bedroom because both
22 areas have closets.

23 MR. WILSON: Based on the questions that
24 I asked Mr. Kanelsky, is there on-site parking
25 possible?

1 MS. MARTINEZ: No, there is not.

2 MR. WILSON: And you'd ask for a variance
3 for that?

4 MS. MARTINEZ: Yes, I would.

5 MR. KANELSKY: If you are familiar with
6 that area of East State, it's kind of -- there's a
7 road going up and down right before the bridge so
8 there's nowhere for the --

9 MS. RIVERA: Yes, people park on the
10 sidewalk.

11 MR. KANELSKY: Yes. Some people park on
12 the sidewalk; some people park on the side like
13 around --

14 MS. MARTINEZ: Around the bend there's
15 like a restaurant and they have parking on that area,
16 towards the back area. There's no actual entrance to
17 get into the back yard. But they usually park there
18 and then they walk around.

19 MR. EINGORN: On the second level, is
20 there a living room and a bedroom?

21 MS. MARTINEZ: It's only one bedroom.
22 But both rooms -- it kind of depends on the tenant.
23 We let the tenant choose. For us, this front room is
24 the biggest and we would consider that the living
25 room. But because there's also a closet in there,

1 the last tenant that we had, used it as a bedroom.
2 But that would be a living room for us because it's a
3 bigger living area than the actual bedroom that we
4 have.

5 MR. EINGORN: Understood.

6 MR. KANELSKY: They both have windows and
7 they both have closets.

8 MS. MARTINEZ: Right.

9 MR. KANELSKY: If the tenant prefers to
10 live in the front of the house on State or in the
11 back where, I guess, it's quieter.

12 MR. EINGORN: I'm showing you the bottom
13 right photo on Apartment 'A' photograph sheet, it
14 shows the back yard. Behind the fence at the rear of
15 the property, what's behind that?

16 MR. KANELSKY: That's a street.

17 MR. EINGORN: Great. So the applicant is
18 here tonight for what's really three bulk variances,
19 lot size, lot width and off-street parking. Is there
20 any ability to expand the lot? I believe the
21 testimony was no.

22 MR. WILSON: That's why I asked him about
23 the footprint. Because I'm familiar with the
24 variance. I know the Board is. There's buildings on
25 both sides. There's not sufficient setback to bring

1 the front out and there's no access to the rear. So,
2 no, you can't expand the building.

3 MR. EINGORN: So we have preexisting
4 non-conforming conditions of the land?

5 MR. WILSON: Yes.

6 MR. EINGORN: And that would include the
7 parking, right? There's no ability to expand the
8 property to including the parking?

9 MR. WILSON: That is correct.

10 MS. MARTINEZ: That's correct. That's
11 why I asked about, was there on-site parking.

12 MS. RIVERA: Do you guys have the light
13 meters?

14 MR. KANELSKY: Yes. You'll see on the
15 common area page, you'll see that on the front of the
16 house, there are two meters, as well as there's a
17 photo of two hot water tanks. Do you have the common
18 area photos?

19 MR. EINGORN: Yes. That's actually our
20 first page. Any questions about this one? No
21 questions. We'll open to the public. Anybody in the
22 public tonight that would like to be heard on the
23 application regarding 108 E. State Street seeking
24 bulk variances for lot size, lot width and off-street
25 parking? Hearing none, we'll close the public

1 portion.

2 The Board has heard testimony and request
3 for the three bulk variances, the parking lot size
4 and lot width which appear to be non-conforming
5 preeexisting conditions. I'd ask the Board to do a
6 discussion of the Positive and Negative Criteria and
7 make a motion.

8 CHAIRMAN HANCE: It shows that it does
9 have two meters; two electrical boxes and also the
10 hot water heaters. I do see a separate entrance in
11 and out; two bathrooms; kitchens. Looks like it has
12 been that way for a while.

13 MR. EINGORN: If the Board will recall,
14 this is an R-2 Zone so the use is not the issue. The
15 issue is the bulk variances for size, width and
16 off-street parking.

17 VICE-CHAIRMAN STILL: I think that's my
18 only downsize. That area, a lot of people like
19 parking on the sidewalk. Even in this picture here,
20 you can actually see a car parked on the sidewalk
21 right there which is not safe for nobody.

22 MR. EINGORN: Right. I mean, that's not
23 on the applicant. That's on the City to enforce
24 that.

25 VICE-CHAIRMAN STILL: Right.

1 MS. MASON: And it's already a duplex and
2 they already had tenants and the tenants have already
3 been utilizing wherever it is that they can park.

4 MR. KANELSKY: Most of the tenants that
5 we've had there throughout the years, have not had a
6 car.

7 VICE-CHAIRMAN STILL: And I don't think
8 they are going to be doing anything different. I
9 make a motion.

10 MR. EINGORN: We have a motion to pass.
11 Is there a second?

12 CHAIRMAN HANCE: Second.

13 MR. EINGORN: I'll take a roll-call vote.
14 Chairman Hance.

15 CHAIRMAN HANCE: Yes.

16 MR. EINGORN: Vice-Chairman Still.

17 VICE-CHAIRMAN STILL: Yes.

18 MR. EINGORN: Ms. Nunez.

19 MS. NUNEZ: Yes.

20 MR. EINGORN: Ms. Rivera.

21 MS. RIVERA: Yes.

22 MR. EINGORN: Ms. Mason.

23 MS. MASON: Yes.

24 MR. EINGORN: Having five in favor and
25 none opposed, the motion passes.

1 MR. KANELSKY: Thank you.

2 MR. EINGORN: The next matter is Yehuda
3 Kanelsky, 3314 Rosedale Avenue. The applicant is
4 seeking to permit a three-family dwelling so a use
5 variance and an off-street parking variance are
6 requested.

7 MR. WILSON: I'm passing out the Property
8 Record Cards for the Board.

9 MR. EINGORN: We will mark those Exhibit
10 A-1.

11 MR. WILSON: And the witnesses will be
12 the same. What is your relationship to the
13 property?

14 MR. KANELSKY: I'm the owner.

15 MR. WILSON: And when did you buy the
16 property?

17 MR. KANELSKY: In April of 2022.

18 MR. WILSON: Since then, have you made
19 any changes to the property?

20 MR. KANELSKY: No.

21 MR. WILSON: Have you expanded the
22 footprint of the property?

23 MR. KANELSKY: No.

24 MR. WILSON: Is it possible to expand the
25 footprint of the property?

1 MR. KANELSKY: I guess it would be
2 possible. I am not sure according to the zoning if
3 you can.

4 MR. WILSON: I understand that the Board
5 already has pictures of the property. We will deal
6 with them in a minute. The Property Record Card, I
7 believe, has been passed out to the Board.

8 MR. EINGORN: Yes.

9 MR. WILSON: If you look at the room
10 count, it shows that on that first floor, there is a
11 living room, bedroom, two baths, two kitchens, two
12 family rooms and one family room. On the second
13 floor there's one living room, one dining room, one
14 kitchen, one bath, two bedrooms. And on the third
15 floor, there's one bedroom. Tell the Board what was
16 the configuration of the property when you purchased
17 it?

18 MR. KANELSKY: I purchased it as a
19 three-family. There were three occupants in the
20 property. The configuration of the property, I
21 guess, we will go through the photos but the first
22 floor, when you go upstairs, the first floor --

23 MR. WILSON: One moment. The pictures,
24 I'd ask the Board to put the exterior as the first
25 page of your pictures. And then Apartment 'A,'

1 Apartment 'B.' Using the pictures, describe the
2 exterior of the property.

3 MR. KANELSKY: So the property sits on
4 the corner of the street. You see there's one. If
5 you go up the stairs, that is the entrance to the
6 building. And then when you walk in on the first
7 floor, is the first apartment. Upstairs is the
8 second apartment. And then the third apartment is
9 both on the second floor as well as on the third.
10 You'll also see that on the -- when you're standing
11 on the -- not the Rosedale side but on the --

12 MR. EINGORN: Do you have -- we are
13 missing that one page, the exterior.

14 MR. WILSON: That's why I passed them to
15 put that page as the first page of their --

16 MR. EINGORN: Yeah. But we don't have
17 that one page.

18 MR. WILSON: Oh.

19 MR. EINGORN: It's the one we're missing.

20 MR. WILSON: My apologies.

21 MR. EINGORN: That's okay. We'll just
22 pass this one down.

23 MR. KANELSKY: And you'll see, as you
24 pass it around, you'll see that on the right side of
25 the property on Rosedale, you'll see that there's

1 three electric meters there. And on the back of the
2 property or on the left of the property when you're
3 on the other cross street which I don't recall what
4 is that cross street. Maria, do you recall what's
5 the -- It's Rosedale and -- do you know what that
6 corner is?

7 MS. MARTINEZ: It's South 33rd, I
8 believe.

9 MR. KANELSKY: So on the corner where
10 Rosedale is, you'll see that on the side, there's
11 also a patch area where cement is where a car can
12 park. And there's an entrance from the front of the
13 property which is up those stairs, as well as in the
14 back of the property on the first floor and you have
15 the one entrance. Since we've bought the property,
16 we've improved the inside and we've also placed a
17 brand new roof on the property.

18 MR. WILSON: Describe Apartment 'A.'

19 MS. RIVERA: This is a different
20 address.

21 VICE-CHAIRMAN STILL: What's handed out
22 is a different address.

23 MS. MARTINEZ: I'm sorry.

24 MR. KANELSKY: I'm sorry. That's going
25 to be soon.

1 MS. MARTINEZ: So when you walk into
2 Apartment 'A,' you walk into that main door. At the
3 main door as you walk in, you have the first floor
4 which is the first picture No. 1. When you walk into
5 the front door, you have the living room area right
6 when you walk in which is where you see that the
7 Christmas tree is there.

8 As you go through if you're walking
9 straight through, and then you hit the kitchen area
10 which you have listed there. One of them came out a
11 little darker. And right off of the kitchen to the
12 right as you're standing in the middle of the
13 kitchen, to your right is the bathroom. So you have
14 a full bath at that point.

15 The last picture on this page is one of
16 the bedrooms. Off of the living room you also have a
17 bedroom to the right and also towards the front of
18 the house. When you're standing in the living room
19 and you turn to your right, you have one there. But
20 then if you turn to your back towards the lefthand
21 side, there's another door. That's also another
22 bedroom.

23 MR. WILSON: And Apartment 'B'?

24 MS. MARTINEZ: Apartment 'B' in the
25 common area, you're going to see a set of stairs. As

1 you walk up to the stairs, straight ahead of you is
2 Apartment 'B.' To the right of you is the door to
3 Apartment 'C.' So as you walk in you have a little
4 common area where there's a collection there. In
5 that common area to your righthand side will be the
6 bedroom.

7 This is a one-bedroom apartment which is
8 the third picture that you see there. Next to the
9 bedroom you have the bathroom which is pictures 3 and
10 4. When you walk back into the common area of two
11 units, you see a doorway. That doorway leads to the
12 living room area where you see the collection against
13 the wall. There's actually a living room. And off
14 of that living room area is where the kitchen is
15 located.

16 MR. WILSON: And Apartment 'C'?

17 MS. MARTINEZ: Apartment 'C' when you
18 walk in, you have a storage closet. You turn to the
19 right, there's a bedroom. Then you go up the stairs,
20 there's two more bedrooms and the kitchen and a
21 bathroom.

22 MS. MASON: You said Apartment 'C' has
23 two bedrooms or one?

24 MS. MARTINEZ: It has two.

25 MR. KANELSKY: When you walk up the

1 second flight of stairs to the third floor, when you
2 walk up the stairs, there's like a living room kind
3 of area. And then as you walk towards the back of
4 the house, you have your kitchen. Over here to the
5 left you have the bathroom. And then in the back --

6 MS. MARTINEZ: Right. And towards the
7 back is another --

8 MR. KANELSKY: Is a bedroom.

9 MS. RIVERA: I have a question. In here
10 it says, 'C,' you only have one bedroom on this card.

11 MR. WILSON: On the Property Record Card?

12 MS. RIVERA: Yes. So you turn it into
13 two bedroom, a bathroom and a kitchen?

14 MS. MARTINEZ: No.

15 MR. KANELSKY: That's how the property
16 is.

17 MS. MARTINEZ: That's how the property
18 was. We didn't do anything to it. I don't why it
19 shows like that.

20 MR. EINGORN: So there's two units on the
21 first floor?

22 MR. KANELSKY: No. The first floor is
23 one unit. The second floor has a common area. And
24 Unit 'B' as well as Unit 'C,' has one bedroom on the
25 second floor. And then the balance of the apartment

1 is on the third floor where you have the living room,
2 bedroom, kitchen and bathroom.

3 MR. EINGORN: All right.

4 MS. MUHAMMAD: The Property Cards are
5 assessed by the Tax Assessor. So when the Tax
6 Assessor goes into the property, what they see is
7 what they document. It's not like this is messed up.
8 When the Tax Assessor goes into the properties, the
9 new tax cards are based on what they see. That's why
10 it's an assessment card. Whatever is there now,
11 means that it has changed. So you're coming in to
12 seek the change, the use variance or bulk variance
13 for the change that was made.

14 MR. KANELSKY: So if there were changes
15 like you're mentioning --

16 MS. MUHAMMAD: There's obvious changes.

17 MR. KANELSKY: Yeah, that was done prior
18 to -- you know, when we bought it, that's how the
19 layout was. That's how it was occupied.

20 MS. MASON: How recent are the pictures?
21 Current tenants?

22 MR. KANELSKY: Yes.

23 MS. MASON: And then you bought the
24 property in 2022?

25 MS. MARTINEZ: Right.

1 MR. EINGORN: And this card is from 2004
2 which looks like the last assessment or not?

3 MR. WILSON: We will have to talk to the
4 Assessor's Office and have that corrected.

5 MS. MASON: Just a clarity question. Why
6 are there four mail boxes? Are there four mail
7 boxes? I know there's three electrical.

8 MR. KANELSKY: There are four mail boxes
9 there. One of them is for the landlord at some
10 point. I mean, we've never changed that. That is
11 kind of how the property was when we purchased it.
12 Never touched it.

13 MS. RIVERA: How many water heaters do
14 you have?

15 MR. KANELSKY: There's one per
16 apartment.

17 MS. MARTINEZ: Any other questions?

18 VICE-CHAIRMAN STILL: Can we have them
19 come back when they get it checked out because the
20 assessment here is different from what they're
21 saying?

22 MS. MASON: It still does say
23 three-family dwelling, though. It's just the
24 interior as far as like living room versus bedroom, I
25 think, is where the confusion is.

1 that says that the City, in various departments, has
2 inspected the property and found it complies with the
3 testimony that you heard that there's three units,
4 one on the first floor, two on the second floor, one
5 of which is partly on the second floor and part on
6 the third floor. And as I said earlier, I will have
7 a conference with the Tax Assessor's Office and get
8 that Property Record Card corrected.

9 CHAIRMAN HANCE: So we'll have to see it.
10 So no one will be living there if it wasn't
11 inspected.

12 MR. WILSON: That's right.

13 MR. EINGORN: Any other questions for the
14 applicant? Did we discuss the parking?

15 MR. WILSON: Yes. They testified that
16 there's space for one car and that's an area that had
17 been concreted.

18 MR. KANELSKY: As well as there's space
19 next to the concreted area where sometimes cars will
20 park which is a part of the lot. It's all included
21 on that. As well there's parking.

22 CHAIRMAN HANCE: Am I correct there's a
23 railroad track here?

24 MS. MARTINEZ: In front of it.

25 CHAIRMAN HANCE: That's like a dead-end

1 street somehow. People actually cut across there.

2 MR. KANELSKY: Just like the road over
3 there.

4 MS. MARTINEZ: It's grassy now but you
5 would have to go through it.

6 MR. KANELSKY: Grassy and muddy. It's a
7 little interesting.

8 MS. MARTINEZ: It's no longer a railroad.

9 CHAIRMAN HANCE: I believe that used to
10 be a bar right there.

11 MR. KANELSKY: Where the dirt is?

12 CHAIRMAN HANCE: No. Where the Urban
13 Promise School, I believe, is sitting, there used to
14 be a bar in there.

15 MR. KANELSKY: Where the dirt is?

16 CHAIRMAN HANCE: No. I'm going back two
17 blocks now.

18 MR. WILSON: You're talking about
19 Sefy's?

20 CHAIRMAN HANCE: Yes.

21 MR. WILSON: That was the corner of 36th
22 & Federal.

23 CHAIRMAN HANCE: Right.

24 MS. MARTINEZ: Right, where the curb
25 goes.

1 MR. WILSON: And you probably remember my
2 grandmother's coal yard.

3 CHAIRMAN HANCE: Okay. You gave me a
4 little history.

5 MR. EINGORN: Any other questions? We'll
6 open to the public. Anybody here tonight that would
7 like to be heard on the application regarding 3314
8 Rosedale Avenue requesting use variance approval and
9 bulk variance approval for off-street parking?
10 Hearing none, seeing none, we'll close the public
11 portion.

12 The Board has heard the testimony tonight
13 regarding the request for use variance approval for a
14 three-family dwelling and a bulk variance approval
15 for off-street parking. The Board should do a
16 discussion of the Positive and Negative Criterias and
17 then propose a motion.

18 CHAIRMAN HANCE: Well, we do have the
19 black and white. Okay. It's three pictures.
20 Separate meters. And we have pictures. I can say my
21 brother's house which is in that area, you have to go
22 through his bedroom and a closet to get to the third
23 floor. And it's weird, crazy but pretty cool because
24 that's like a hidden room.

25 The whole upstairs, you cannot get to

1 that third floor unless you go in his bedroom, move
2 the clothes out of the way that are in the way. I
3 had been there one time. That was enough for me.
4 The place is built just like that. I don't know why
5 but there's place built like that. These houses have
6 been standing forever. And these are old homes.
7 This one 1909 that I see here. It's been standing
8 for a while.

9 MS. MASON: I make a motion to approve
10 it.

11 MR. EINGORN: We have a motion to
12 approve. Do we have a second?

13 MS. RIVERA: Second.

14 MR. EINGORN: I'll take a roll-call vote.
15 Chairman Hance.

16 CHAIRMAN HANCE: Yes.

17 MR. EINGORN: Vice-Chairman Still.

18 VICE-CHAIRMAN STILL: Yes.

19 MR. EINGORN: Ms. Nunez.

20 MS. NUNEZ: Yes.

21 MR. EINGORN: Ms. Rivera.

22 MS. RIVERA: Yes.

23 MR. EINGORN: Ms. Mason.

24 MS. MASON: Yes.

25 MR. EINGORN: Having five in favor and

1 none opposed, the motion passes.

2 The next matter is 110 S. 33rd. Street.
3 The witnesses have already been sworn. This also is
4 a matter for use variance approval for a three-family
5 dwelling. Bulk variances for lot width, front yard
6 setback and off-street parking.

7 MR. WILSON: For some reason, I only have
8 one copy of the Property Record Card. I thought I
9 made --

10 MR. KANELSKY: This one we emailed.

11 MR. WILSON: No, that's the wrong one.

12 MR. EINGORN: This is 110 S. 33rd Street.

13 MR. WILSON: This is the one we do not
14 have Property Record Cards for. It was requested but
15 not delivered. I will have testimony as to the
16 apartments. And I understand the Board already has
17 the pictures. Mr. Kanelsky, what is your
18 relationship with the property?

19 MR. KANELSKY: I'm the owner.

20 MR. WILSON: And when did you buy the
21 property?

22 MS. MARTINEZ: January of 2022.

23 MR. WILSON: Since you've owned the
24 property, have you made any changes to the property?

25 MR. KANELSKY: No.

1 MR. WILSON: Is there any room to expand
2 the footprint of the property?

3 MR. KANELSKY: No, not really.

4 MR. WILSON: Using the pictures, would
5 you please lead the Board through. Start with
6 Apartment 'A.'

7 MS. MARTINEZ: So to get into Apartment
8 'A,' you have a common door in the front. In the
9 common area, Picture No. 1, you're going to see
10 basically the space there, the cars for parking. So
11 we have some spacing, off-street parking available in
12 that picture No. 1. Picture No. 2 is a picture of
13 the front of the house.

14 MR. EINGORN: How many cars can you park
15 in the driveway there?

16 MS. MARTINEZ: I would you say maybe
17 four.

18 MR. EINGORN: About four?

19 MS. MARTINEZ: Picture No. 2 is just a
20 picture of the front of the house. Picture 3 and 4
21 is basically the main entrance when you walk in. So
22 when you walk into the main entrance you will see
23 in picture No. 5 the doors that go into the different
24 Apartments 'A' & 'B' that are located there. And
25 then you have a picture of the meters outside.

1 MR. KANELSKY: So this property has from
2 the front when you walk up through the three stairs
3 is where Apartment 'A' & 'B' is. And Apartment 'C'
4 is where the parking area is. You see that white
5 door, that's where the parking 'C' is located kind of
6 like in the back of the house, but it's connected to
7 the house.

8 MS. MARTINEZ: So when you walk into
9 Apartment 'A' you have a living room area. In the
10 living room area you also have, off of the living
11 room to the lefthand side, there's a door which is
12 the bathroom area. Then you have one bedroom towards
13 the front of the house next to the living room and
14 then you have a hallway. And as you walk through the
15 hallway, you have another bedroom and then you can
16 also get to the kitchen from there. So that's
17 Apartment 'A.'

18 Going into Apartment 'B' is the second
19 and third floor. So you walk up a set of stairs.
20 And when you walk up the set of stairs, you have one
21 door to your left. That is one bedroom. There's
22 another door to your right which is the red
23 carpeting. That is your living room area. Just to
24 go back a little bit, this door here, that's the
25 bedroom. This is the bedroom that's there. It's

1 just a little out of order.

2 Then you have the living room right
3 across from there. And then you have a hallway that
4 leads to the bathroom which the bathroom door is
5 shown here. This is the bathroom here. And then
6 there's another doorway that you walk into the
7 kitchen area and then another door that goes to a
8 second bedroom. So those are the photos that you
9 have here.

10 VICE-CHAIRMAN STILL: Are there any
11 pictures of hot water heaters?

12 CHAIRMAN HANCE: I don't see any
13 utilities here, hot water heater; separate meters.

14 MS. MARTINEZ: Let me see here.

15 MR. EINGORN: While they're looking at
16 it, is this property currently rented?

17 MS. MARTINEZ: Yes.

18 MR. EINGORN: Three tenants?

19 MS. MARTINEZ: Yes.

20 MR. EINGORN: Did you make any changes to
21 the property when you purchased it?

22 MR. KANELSKY: No. We've done upgrades
23 to the property. As you can see, it's a pretty old
24 house. About a year ago, we switched out all of the
25 windows. You can see there in the pictures, there's

1 like 18 windows or 20 windows.

2 MS. MARTINEZ: We had 18 windows that
3 were all replaced.

4 MR. KANELSKY: And most of them had to be
5 custom because --

6 MS. MARTINEZ: -- the sizes --

7 MR. KANELSKY: -- of the way the houses
8 were built. But we switched that all out. I don't
9 believe you can see it here but we've also done a
10 little bit of foundation work kind of on the
11 perimeter of the house. Some of the cement was
12 cracking so we went around and coated that in;
13 cleaned it up.

14 MS. MARTINEZ: And then the flooring of
15 Apartment 'B,' so the carpet that you see there is no
16 long there. It's all brand new laminate, waterproof
17 flooring.

18 MR. KANELSKY: Throughout Apartment 'B'
19 the entire apartment, we repainted and put in brand
20 new floors as well in the kitchen.

21 MS. MARTINEZ: New cabinets, new exhaust
22 fan. Just stuff that needed to be upgraded.

23 MR. EINGORN: The document reflects
24 Yachiel Winfield.

25 MR. KANELSKY: Yes.

1 MR. EINGORN: Who is that?

2 MR. KANELSKY: Yachiel Winfield is my
3 partner.

4 MR. EINGORN: Are you the owner or do you
5 own the property with Mr. Winfield?

6 MR. KANELSKY: I own the property with
7 him.

8 MR. EINGORN: You own the property with
9 him. Okay. Thank you for the clarification.

10 MS. NUNEZ: This section right here where
11 it says Apartment 'B,' what is this up here?

12 MR. KANELSKY: That is the -- that goes
13 to the third floor.

14 MS. MARTINEZ: That goes to the third
15 floor.

16 MR. KANELSKY: That's just a bonus for
17 the Apartment 'B's access to the attic.

18 MS. MUHAMMAD: So it's used as an attic?

19 MR. KANELSKY: Yes. And that's been
20 repainted. That was just taken during when we
21 renovated the entire Apartment 'B.' We repainted and
22 ripped out the old carpets. God knows how old the
23 carpets were. We tried to put in in all of our
24 apartments as you can see throughout the photos, we
25 try to put in vinyl plank flooring, waterproof so

1 they can go in the kitchens and the bathrooms. They
2 actually last. It's easy for the tenants to
3 maintain. So that's something we've done throughout
4 the apartments.

5 MR. EINGORN: Any last questions for
6 applicant on this one?

7 MS. RIVERA: They never showed us a
8 picture of a water heater.

9 MS. MARTINEZ: I thought I printed it out
10 and I didn't. I'm missing the page myself.

11 MR. WILSON: How many water heaters are
12 there?

13 MR. KANELSKY: There are three water
14 heaters. I apologize for -- we forgot to submit the
15 photo on that.

16 VICE-CHAIRMAN STILL: How many
17 mailboxes?

18 MS. MARTINEZ: Three. One is over here
19 on Unit 'C.'

20 MR. KANELSKY: Unit 'C' has a separate
21 entrance.

22 MS. MARTINEZ: And then the other two are
23 in front.

24 CHAIRMAN HANCE: How many meters do you
25 have?

1 MR. KANELSKY: Three meters.

2 MS. MARTINEZ: Three meters.

3 MR. KANELSKY: In the photo you'll see
4 that one of the meters were missing. There was an
5 issue with PSE&G. But you'll see over here in the
6 photo that was taken a couple days ago, showing that
7 that additional meter was put in.

8 MS. MUHAMMAD: Do you happen to have the
9 email?

10 MR. KANELSKY: Sure. And Maria can email
11 you.

12 MS. MARTINEZ: I can email the other one,
13 the other page. I thought I printed them both.

14 MR. EINGORN: So we did not have a
15 Property Record Card for this one, correct?

16 MR. KANELSKY: Yes.

17 MR. EINGORN: So we're going to mark this
18 meter picture A-1 for the record and enter into
19 evidence. It does show three electrical meters.

20 MR. KANELSKY: There's also a garage in
21 the back of the property which is empty. You'll see
22 it in the back of the parking. It's just a
23 structure. We keep it locked.

24 CHAIRMAN HANCE: No one is using that?

25 MR. KANELSKY: No one is using it. It's

1 locked. We've used it at some point in the past for
2 like storage of like materials for the property as we
3 were renovating and putting in the new windows. It's
4 locked now. Because next door to it is actually an
5 abandoned house. So we don't want anything going
6 down there and so we try to keep it cleaned up.

7 MR. EINGORN: Any other questions?
8 Hearing none, open to the public. Anybody here
9 tonight that would like to be heard on the
10 application of 110 S. 33rd Street? No one is here.
11 I'll close the public portion. The Board should do a
12 discussion of the Positive and Negative Criteria
13 related to the use variance and requested bulk
14 variances and then make a motion.

15 CHAIRMAN HANCE: You do have tenants in
16 there now; am I correct?

17 MR. WILSON: Yes.

18 MR. KANELSKY: Yes.

19 CHAIRMAN HANCE: It's being used now. I
20 have been to the area. There's definitely parking
21 there. It's clean. Again, it's a huge place. Needs
22 people in there. I'm always afraid of fires. That's
23 a beautiful building.

24 VICE-CHAIRMAN STILL: I think exhibiting
25 the exterior with those hot water heaters was an

1 advantage, so I make a motion to pass.

2 MS. NUNEZ: Second.

3 MR. EINGORN: I'll take a roll-call vote.
4 Chairman Hance.

5 CHAIRMAN HANCE: Yes.

6 MR. EINGORN: Vice-Chairman Still.

7 VICE-CHAIRMAN STILL: Yes.

8 MR. EINGORN: Ms. Nunez.

9 MS. NUNEZ: Yes.

10 MR. EINGORN: Ms. Rivera.

11 MS. RIVERA: Yes.

12 MR. EINGORN: Ms. Mason.

13 MS. MASON: Yes.

14 MR. EINGORN: Having five in favor and
15 none opposed, the motion passes.

16 And then last but not least, we have the
17 application regarding 3009 Mt. Ephraim Avenue.

18 MR. WILSON: I will pass out the Property
19 Record Card.

20 MR. EINGORN: That will be marked as A-1
21 for the record.

22 MR. WILSON: I call your attention to the
23 Property Record Card. It shows on the first floor,
24 two living rooms, two kitchens, two full baths, three
25 bedrooms. On the second floor, one of each. I will

1 have -- I understand the Board already has pictures?
2 I'll have my client --

3 MR. KANELSKY: Of the common area photos
4 as well.

5 MR. WILSON: One moment. Don't jump
6 ahead of me.

7 MR. EINGORN: It does not appear to have
8 the common area photos.

9 MR. WILSON: What is your relationship to
10 the property?

11 MR. KANELSKY: My partner and I own this
12 property.

13 MR. WILSON: And when did you buy it?

14 MR. KANELSKY: October of 2021.

15 MR. WILSON: Since you've owned the
16 property, have you made any change to the footprint?

17 MR. KANELSKY: No.

18 MR. WILSON: Is there parking on the
19 property?

20 MR. KANELSKY: Yes.

21 MR. WILSON: For how many cars?

22 MR. KANELSKY: Five cars.

23 MR. WILSON: Five cars. How many meters?

24 MR. KANELSKY: Three meters.

25 MR. WILSON: How many water heaters?

1 MR. KANELSKY: Three.

2 MR. WILSON: Would you testify as to the
3 configuration of the apartments?

4 MR. KANELSKY: I guess we'll start at the
5 common areas. So this property faces Mt. Ephraim.

6 MR. WILSON: Show the Board so that they
7 know which page of the pictures.

8 MR. EINGORN: We'll mark this A-2. A-2
9 is common area photos.

10 MR. KANELSKY: This property sits on
11 Mt. Ephraim right across from the CVS which is a
12 three-family. Unit No. 1 is facing Mt. Ephraim like
13 on the street. And Unit 'B' & 'C' are both entered
14 from the side of the property, each with their own
15 designated entrance into the property.

16 MS. MARTINEZ: So when you walk into Unit
17 'A,' you have a closet right behind the door and
18 you're walking into the living room area. As you
19 cross into the living room area, you have the
20 bedroom. There's a wall separating the living room
21 to the bedroom. And then up walk up a little way and
22 you have the kitchen area. And then if you turn to
23 your left, you have the bathroom area there. So
24 that's Unit 'A.'

25 The other unit is also located on the

1 first-floor level with having a side entrance, is
2 Unit 'B.' So when you walk into Unit 'B,' you then
3 see a little living room area there. When you make
4 the left, you have the door to the bathroom which you
5 have the bathroom photos there as well. And then
6 there's a long hallway. So next to the bathroom you
7 walk into a common hallway which has a kitchen. And
8 if you walk down, you have the bedroom right there.
9 So that's Unit 'B.'

10 For Unit 'C' it also goes through the
11 side entrance. You walk up the stairs. As you walk
12 up the stairs, it turns to the right and you go three
13 more stairs up, you have a bathroom to the lefthand
14 side. You have a bedroom in front of you. In that
15 common hallway you have a door that goes up to the
16 third floor which has two rooms there but then you
17 have storage. So that's like one storage there. And
18 you'll see the pictures actually in the 'C.' And
19 then you have the living room and then a kitchen. So
20 one of the rooms is up on to the third floor. But as
21 you can see, it's all full of storage.

22 MR. KANELSKY: The tenants are upstairs.

23 MR. WILSON: How many tenants are
24 occupying your property?

25 MR. KANELSKY: Three.

1 MS. RIVERA: When did you take these
2 pictures?

3 MS. MARTINEZ: Probably within the last
4 month.

5 MR. KANELSKY: Right before I submitting
6 them to --

7 MR. EINGORN: The denial letter indicates
8 a Historic Preservation Committee approval is needed
9 for the exterior work. Did you obtain that approval
10 already?

11 MS. MARTINEZ: There is no exterior work
12 to do there. Everything is already pretty much
13 done.

14 MR. KANELSKY: As you can see on the
15 picture, it's a beautiful red brick in front of the
16 property.

17 VICE-CHAIRMAN STILL: This is the only
18 question I have right here, this picture here, like
19 do you own that lot where those cars are? Is that a
20 separate -- like how does that --

21 MS. MARTINEZ: So what we did, we had a
22 problem with one of our tenants that decided that he
23 wanted to repair cars. So we had to find a way
24 to block him from doing that because it's not allowed
25 on the property. And as much as we tried to talk to

1 the tenant -- I mean, I think you can even see in one
2 of the photos in common area, it was like a car
3 parked on the side. It came up -- when I was taking
4 the picture, he had a car parked right there on the
5 side. It looked maybe like a transmission and I had
6 to address him at that point. So we had to kind of
7 figure a way to block it off.

8 VICE-CHAIRMAN STILL: So what did you do?

9 MS. MARTINEZ: There's like an old fence
10 that was put up.

11 MS. MUHAMMAD: That would be exterior
12 work and that would need HPC approval. Basically you
13 won't get your zoning permit until you go through the
14 HPC. So just file an application tomorrow.

15 MR. EINGORN: That would be a condition
16 of approval which would mean to obtain --

17 MR. KANELSKY: If we take down the fence
18 and provide that photo?

19 MS. MUHAMMAD: Contact the zoning officer
20 tomorrow about it.

21 CHAIRMAN HANCE: I'm actually real
22 familiar with that property. They used to have a
23 great steak shop right there. I used to hang out at
24 that property as a young man. Its been apartments
25 since then. And the CVS that you're talking about, I

1 don't know if it's still there or not or half of it
2 is there and half of it's not there.

3 MS. MARTINEZ: Yes. It's like diagonally
4 across.

5 CHAIRMAN HANCE: Back in the day that
6 used to be the place to hang out at.

7 MS. MARTINEZ: You know the CVS that's
8 like diagonally across --

9 CHAIRMAN HANCE: Across the street. It's
10 a good shopping area. You can walk to all the
11 stores. Actually Pathmart used to be there further
12 down.

13 MR. EINGORN: Any other questions?
14 Hearing none, we will open to the public. Anybody in
15 the public, although there's nobody in the public,
16 would like to be heard regarding 3009 Mt. Ephraim
17 Avenue application for a use variance and change of
18 use approval? Seeing none and hearing none, we'll
19 close the public portion.

20 Now is the time for the Board to do a
21 discussion of the Positive and Negative Criteria and
22 propose a motion. Any motion should be conditioned
23 upon either HPC approval or confirmation from the
24 Zoning Office that they can take down the fence to
25 avoid such HPC approval.

1 VICE-CHAIRMAN STILL: I think this is a
2 lot of the same. I motion to pass with the condition
3 from the HPC.

4 MR. EINGORN: Do I have a second?

5 MS. NUNEZ: Second.

6 MR. EINGORN: I'll take a roll-call vote.
7 Chairman Hance.

8 CHAIRMAN HANCE: Yes.

9 MR. EINGORN: Vice-Chairman Still.

10 VICE-CHAIRMAN STILL: Yes.

11 MR. EINGORN: Ms. Nunez.

12 MS. NUNEZ: Yes.

13 MR. EINGORN: Ms. Rivera.

14 MS. RIVERA: Yes.

15 MR. EINGORN: Ms. Mason.

16 MS. MASON: Yes.

17 MR. EINGORN: Having five in favor and
18 none opposed, the motion passes.

19 MR. KANELSKY: Thank you very much.

20 MR. WILSON: Thank you.

21 MR. EINGORN: The last matter is
22 adjournment. Do we have a motion to adjourn.

23 VICE-CHAIRMAN STILL: Motion to adjourn.

24 MS. MASON: Second.

25 MR. EINGORN: All in favor?

1 THE BOARD: Yays.

2 MR. EINGORN: So adjourned.

3 - - -

4 *(Meeting concluded at 7:53 p.m.)*

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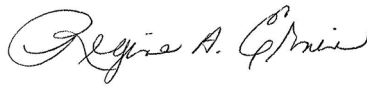
1 CERTIFICATION

2
3
4 I HEREBY CERTIFY that I am a Certified Court
5 Reporter and Notary Public.

6 I FURTHER CERTIFY that the witness was sworn
7 to testify to the truth.

8 I FURTHER CERTIFY that the foregoing is, to
9 the best of my ability, a true and accurate
10 transcript of the testimony taken stenographically by
11 me at the time, place, and date hereinbefore set
12 forth.

13 I FURTHER CERTIFY that I am neither a relative,
14 employee, attorney or counsel to any of the
15 parties to the action, nor a relative or employee of
16 such attorney or counsel and that I am not
17 financially interested in the action.

18 

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